

National Security Prosecutions

Jury Questionnaires and Preliminary Remarks to Prospective Jurors

Federal Judicial Center

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This Federal Judicial Center publication was undertaken in furtherance of the Center's statutory mission to develop and conduct education programs for the judicial branch. Views expressed herein are not necessarily those of the Federal Judicial Center.

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Introduction

Assembled here are jury questionnaires used by federal judges in criminal prosecutions in national security cases. Also assembled here are prepared remarks for prospective jurors in some of the cases. The materials are assembled in reverse order of use. All but the questionnaire used in *United States v. Sabir* were used in cases described in a companion publication, *National Security Case Studies: Special Case-Management Challenges*.

Not all judges use jury questionnaires. The questions included here from *United States v. Batiste* were prepared by Judge Joan Lenard to ask potential jurors orally, because she prefers face-to-face voir dire to jury questionnaires. Judge Kevin Duffy, who presided over *United States v. Salameh*, also believes that jury questionnaires are not useful.

These and other resources potentially helpful to judges presiding over national security cases are assembled at the following FJC Online site: <http://cwn.fjc.dcn/fjconline/home.nsf/pages/1227>. The materials collected here have been reformatted and copyedited.

United States v. Ghailani: Preliminary Remarks to Venire

Hon. Lewis A. Kaplan
Southern District of New York
September 23, 2010

The following text was prepared by U.S. District Judge Lewis A. Kaplan of the Southern District of New York to address prospective jurors selected for the prosecution of Ahmed Khalfan Ghailani for participation in the 1998 bombings of the American embassy in Dar es Salaam, Tanzania, *United States v. Ghailani*, No. 1:98-cr-1023-9 (S.D.N.Y. Sept. 21, 1998). Ghailani was a fugitive until 2004, when he was captured and held by the CIA. He was transferred to Guantánamo Bay in 2006 and to the Southern District of New York for prosecution in 2009.

Preliminary Remarks to Venire

Good morning, everybody. I'm Judge Lewis Kaplan. We are about to begin the process of selecting a jury for a criminal case, and I'm going to describe the process to you briefly and tell you just a little about the case. The process is a little different from the one we normally use.

The first step in the process is going to occur today, this morning. In a few minutes, after you've been sworn, you're going to be given questionnaires to fill out. It's important that you be truthful and accurate in answering the questions on the questionnaires, because they're going to be important in selecting the jury. When you're done, the questionnaires will be collected, and you will be done for the day. You can go home.

Some of you are going to be asked to return for the second phase of jury selection which will involve oral questioning that many of you are probably familiar with. That's going to start on September 29. It may continue on the 30th and possibly for another day or so. Later today you'll get instructions about how you're going to find out whether you're going to need to come back for oral questioning and exactly on which date and at what time you should come.

Once the second phase, the oral questioning, is completed, a number of you will be asked to return for the final step in jury selection and some of those who will come back at the third phase will be selected to serve on the jury. We're not a hundred percent certain of the date, but it's very likely to be Monday, October 4th.

Now, the second thing I need to do is to tell you a little bit about this case. As I said to you at the outset, this is a criminal case. It's brought by the United States. The defendant is a man named Ahmed Khalfan Ghailani. Mr. Ghailani is charged with various crimes arising out of the bombing of the United States embassies in Africa a number of years ago. Mr. Ghailani denies the charges against him. As in all criminal cases, he is presumed innocent and that presumption stays

with him throughout the case, unless and until the government proves that he is guilty beyond a reasonable doubt. He doesn't have to prove that he's innocent.

It is quite likely there is going to be press coverage in this case. There has been some already. I instruct you that you are not to read, watch, or listen to anything having to do with this case from this moment onward. You are not to discuss it among yourselves. You're not to discuss it with family, friends, or anyone else. You're not to do any research about the case or about anybody who is involved in it. That includes Google; it includes internet searches. No Googling, no Tweeting, none of that stuff.

Finally, I'd like to explain to you that your privacy can and will be protected, even in a case in which there will be publicity, which is quite likely here. Some of you may have heard about jurors being sequestered, especially in the old days when people got called for jury duty and wound up on a case: they got sent to hotels with guards every night until the case was over. We don't intend to do that. That's mainly a historical artifact. Those of you who serve on the jury in this case will go home every night. However, the names and addresses and other identifying information about jurors, including their places of employment, will not be disclosed to anyone except the chief jury clerk who will send each juror his or her check for serving. This is to insure the privacy of the jurors, to make sure it's preserved and to make sure that they are not contacted by the press or anybody else who may want to discuss the case with them.

Now, as you're going to learn in a few minutes, the questionnaires that you fill out will not have your names on them. Each of you has a number assigned to you and that number will go on the questionnaire. You'll put it on there instead of writing your name. The names of the jurors in this case will not be known to the lawyers, the witnesses, or the parties, or even to me. Selecting an anonymous jury like this is not unusual. It's been done in many cases in federal courts. Anonymity deters curiosity and protects the privacy of those selected to serve on the jury. In addition, once the jury is picked for this case, the jurors will be picked up every morning by deputy United States marshals at one or more convenient meeting places around the city, or possibly even outside the city, and driven from those pickup points right into the courthouse.

While the jurors are in the courthouse, they'll remain with the marshals. They'll have their coffee breaks and their meals together. The Court will provide a light breakfast, coffee, other refreshments, and lunch every day; I guess I should say, at no charge. I think that's right. I'm sure. In the evening the jurors will be driven from the courthouse by the marshals to one or more convenient dropoff points from which the jurors will then make their own ways home. The locations of the morning pickup places and the evening dropoff places will not be disclosed publicly. They're likely to change during the course of the trial.

And so that's the way this is going to unfold. Three phases of jury selection; and for those persons who are ultimately selected, their privacy will be retained and they will be anonymous to the outside world and indeed even to court personnel except for one person who will keep juror identity information in a vault.

So that's my little story for you this morning. You'll get the questionnaires in a few minutes. Most of you I will never see again, but I thank you in advance for your help and cooperation. I'm sure that down the road I will see some of you

once more at least. So be well and thanks again. And if there are any members of the press in here? No? Good. Okay. Thank you.

United States v. Ghailani: Jury Questionnaire

Hon. Lewis A. Kaplan
Southern District of New York
September 22, 2010

The following questionnaire was prepared by the Southern District of New York's United States District Judge Lewis A. Kaplan to facilitate jury selection in a prosecution for participation in the 1998 bombings of the American embassy in Dar es Salaam, Tanzania, *United States v. Ghailani*, No. 1:98-cr-1023-9 (S.D.N.Y. Sept. 21, 1998). The defendant was a fugitive until 2004, when he was captured and held by the CIA. He was transferred to Guantánamo Bay in 2006 and to the Southern District of New York for prosecution in 2009.

Background Information

This questionnaire is being used to assist in selecting a jury for what is expected to be a long trial.

The trial is expected to last 10 to 16 weeks or perhaps somewhat longer.

In general, the trial will be held Monday through Thursday, 9:30 a.m. until 4:30 p.m., although there will be some shorter work weeks and the hours and days may vary from time to time.

Court will not be held during the following breaks and holidays:

October 11, 2010 (Columbus Day)	December 23, 2010, to January 3, 2011
November 2, 2010 (Election Day)	January 17, 2011 (Martin Luther King Day)
November 11, 2010 (Veterans Day)	February 21, 2011 (Presidents Day)
November 24–26, 2010 (Thanksgiving)	February 28 to March 4, 2011

Please answer each part of the following questions Yes or No and provide the additional requested information for all parts to which you answer Yes. If you need additional space, use the back of the page.

Write your juror number on every page in the space provided.

United States v. Ghailani: Jury Questionnaire

Juror No. _____

1. Would serving on this jury cause undue hardship or extreme inconvenience because
 - a. You would have to travel a great distance to the courthouse? If so, how many miles would you have to travel?
Yes _____ If yes, number of miles _____
No _____
 - b. Your travel time to and from the courthouse would be excessive? If so, how many minutes are required (one-way)?
Yes _____ If yes, number of miles _____
No _____
 - c. There is a grave illness in the family or other emergency?
Yes _____ Explain. _____

No _____
 - d. Service would cause you undue hardship or extreme inconvenience for some other reason?
Yes _____ Explain. _____

No _____
 - e. Service would cause severe economic hardship to your employer?
Yes _____ Explain. _____

No _____
2. Does the nature of the charges cause you to believe that you could not serve impartially as a juror in this case?
Yes _____ Explain. _____

No _____

United States v. Ghailani: Jury Questionnaire

Juror No. _____

3. Does the allegation that the 1998 plot that destroyed the U.S. embassies in Africa was associated with al-Qaeda cause you to believe that you could not serve impartially as a juror in this case?

Yes _____ Explain. _____

No _____

4. The terrorist attacks on the United States, including on the World Trade Center, that occurred on September 11, 2001, are not at issue in this case. Nevertheless, have you had any personal experiences or do you have any feelings arising from those attacks that you believe would interfere with your ability to serve impartially as a juror in this case?

Yes _____ Explain. _____

No _____

5. Have you had any personal experiences or do you have any feelings arising from any other terrorist attacks on the United States or on anyone else that you believe would interfere with your ability to serve impartially as a juror in this case?

Yes _____ Explain. _____

No _____

6. On a scale of 1 to 5, how afraid are you that you, a family member, or someone close to you will be killed or injured in a terrorist attack? ("1" = not afraid; "5" = very afraid)

Select a number from 1 to 5 _____

7. Have you seen, heard, or read anything about Mr. Ghailani or the bombings of the U.S. embassies in Kenya and Tanzania in 1998?

Yes _____ What? _____

No _____

Juror No. _____

8. Do you have feelings about the prosecution of accused terrorists in courts like this that you believe would interfere with your ability to serve impartially as a juror in this case?

Yes _____ No _____

9. Much of the conduct at issue in this case took place outside the United States, principally in Tanzania and Kenya. United States law provides that persons engaged in conduct occurring outside the United States may nevertheless be charged in United States courts for violations of federal laws that protect Americans abroad. Do you believe that conduct that takes place outside of the United States should not be a basis for American criminal charges or should not be considered by an American court?

Yes _____ No _____

10. Have you, any family member, or any close friend been a victim of terrorism, either in this country or abroad?

Yes _____ Explain. _____

No _____

11. Do you have any feelings about Islam or Muslims that you believe would interfere with your ability to serve impartially as a juror in this case?

Yes _____ Explain. _____

No _____

12. Do you have any feelings about methods the United States has used in responding to terrorism—including, for example, the use of military force or the detention of terror suspects by the CIA or by the Defense Department at Guantánamo Bay—that you believe would interfere with your ability to serve impartially as a juror in this case?

Yes _____ Explain. _____

No _____

13. Do you have an opinion as to whether Mr. Ghailani is guilty or not guilty of any of the charges against him?

Yes _____ No _____

United States v. Ghailani: Jury Questionnaire

Juror No. _____

14. The witnesses in this case will include law enforcement and perhaps other government personnel. Would you be more or less likely to believe such a witness solely by reason of the fact that the witness works in law enforcement or another government capacity?

Yes _____ No _____

15. Do you have any biases or feelings for or against defendants in general, lawyers who represent persons accused of crimes, or prosecutors that you believe would interfere with your ability to serve impartially as a juror in this case?

Yes _____ Explain. _____

No _____

16. Have you, any member of your family, or any close friend ever been a victim of a crime?

Yes _____ No _____

If yes, please describe. _____

If yes, do you believe that this would interfere with your ability to serve as an impartial juror in this case?

Yes _____ No _____

Juror No. _____

17. Have you, or has any member of your family with whom you resided at the time, or a close friend, ever been employed by or received training from any local, state, or federal law enforcement agency, including but not limited to the following? (Circle as many as apply for each category.)

	<u>Self</u>	<u>Relative</u>	<u>Close Friend</u>
Federal Bureau of Investigation	x	x	x
U.S. Attorney	x	x	x
Bureau of Alcohol, Tobacco, Firearms & Explosives	x	x	x
U.S. Citizenship and Immigrations Services, and Bureau of Immigration and Customs Enforcement (formerly known as Immigration and Naturalization Services)	x	x	x
Department of Homeland Security	x	x	x
Drug Enforcement Administration	x	x	x
Military Police	x	x	x
Department of Corrections	x	x	x
State Police	x	x	x
Office of District Attorney	x	x	x
United States Marshal Service	x	x	x
New York City Police Department	x	x	x
U.S. Bureau of Prisons	x	x	x
Department of Probation and Parole	x	x	x
Other: _____	x	x	x

If yes, do you believe this would interfere with your ability to serve as an impartial juror in this case?

Yes _____ No _____

Juror No. _____

18. Have you or any close friend or relative, either as an individual or in the course of his or her business, ever been a party to any legal action or dispute with the United States or any of the officers, departments, agencies, or employees of the United States, or had any interest in any such legal action or dispute or its outcome?

Yes _____ No _____

19. Have you, either through any experience you have had or anything you have seen or read, developed any bias or prejudice for or against the United States Attorney's Office, the Department of Justice, or the Federal Bureau of Investigation?

Yes _____ No _____

20. Have you or any close friend or relative ever been involved or appeared as a witness in any investigation by a federal or state grand jury, a legislative committee, or any other governmental agency?

Yes _____ No _____

21. Have you or any close friend or relative ever been a witness or a complainant in any hearing or trial?

Yes _____ No _____

22. Are you or any close friend or relative now under subpoena or, to your knowledge, about to be subpoenaed in any criminal case?

Yes _____ No _____

23. Have you or any close friend or relative ever been the subject of any investigation or accusation by any federal or state grand jury?

Yes _____ No _____

24. Have you or any close friend or relative ever been charged with a crime?

Yes _____ No _____

United States v. Ghailani: Jury Questionnaire

Juror No. _____

25. Have you or any member of your immediate family ever served in the military (including the National Guard and the reserves)?

Yes _____ No _____

If yes, have you or any member of your family or close personal friend ever served in the Middle East, including Iraq and Afghanistan?

Yes _____ No _____

If yes, describe the branch and the nature of the service and the approximate dates. _____

26. Do you know anyone who now resides, or in the past resided in the Middle East, South Asia, including Pakistan and the areas around Pakistan, or sub-Saharan Africa?

Yes _____ No _____

Juror No. _____

27. Have you ever served as a juror?

Yes _____ No _____

If yes, please complete as appropriate:

a. *Civil Cases* Date(s) _____

Nature of case(s): _____

Federal or state case(s): _____

Was the jury asked to reach a verdict?

Yes _____ No _____

If so, was a verdict reached?

Yes _____ No _____

b. *Criminal Cases* Date(s) _____

Nature of case(s): _____

Federal or state case(s): _____

Was the jury asked to reach a verdict?

Yes _____ No _____

If so, was a verdict reached?

Yes _____ No _____

c. *Grand Jury* Date(s) _____

Federal or state? _____

28. If you have served as a juror, was there anything about your jury experience that would make it difficult to serve fairly and impartially in this case?

Yes _____ No _____

Juror No. _____

29. Have you worked in or traveled in Tanzania, Kenya, Saudi Arabia, Somalia, Sudan, Iraq, Pakistan, Afghanistan, or Egypt?

Yes _____ No _____

If yes, please explain how long you were there and the reason for your visit(s). _____

30. What are your primary sources of local and national news?

31. This questionnaire has tried to invite your attention to possible reasons why you might not be able to sit as a fair and impartial juror. Apart from anything you have disclosed above, is there any fact, circumstance, opinion, impression, attitude of mind, personal or other experience, or identification or membership with any group or organization that you believe would prevent you, if you are accepted as a juror in the trial of this case, from listening to the evidence with an open mind and deciding every issue fairly and impartially, solely upon the evidence and in accordance with the Court's instructions as to the law?

Yes _____ No _____

If yes, please explain. _____

United States v. Shnewer: Jury Questionnaire

Hon. Robert B. Kugler
District of New Jersey
September 29, 2008

The following questionnaire was prepared by the District of New Jersey's United States District Judge Robert B. Kugler to facilitate jury selection in a prosecution for planning to attack Fort Dix, *United States v. Shnewer*, No. 1:07-cr-459 (D.N.J. June 5, 2007).

Jury Questionnaire

As Judge Kugler explained to you, the purpose of this questionnaire is to provide guidance to the lawyers and the Judge and as a time-saving device. This is not a test of your knowledge of the laws of the United States. The rules of law that apply to this case will be explained by the Court to those persons who are actually selected as trial jurors.

Your questionnaire answers will be kept confidential, under seal by the court, and will not be made available to the public or the media. In fact, this case's jury selection is anonymous, meaning that only the Judge and a few staff members working for the Court will know your name. Selecting an anonymous jury is not an unusual practice and has been done in many cases in federal court. Anonymity will ward off curiosity that may infringe on your privacy. **Please write your juror number on each page of this questionnaire. Do not write your name on any part of this questionnaire, and please do not include any information that might reveal your identity such as your employer's name or your address.**

Please answer the questions as honestly and completely as possible. Remember, there are no "right" or "wrong" answers, only open and honest ones. In order for this process to work, it is important that you are completely candid regarding your actual views and opinions. Everyone involved in this process is relying on what you say. We are genuinely interested in what you think. It will not help if you give answers that are politically correct or that reflect what you think we want to hear or what a "good" juror would say. You are sworn to give truthful answers, and any deliberately false answer to any question could subject you to prosecution for perjury or false statements. We are relying on your honesty.

Please do not leave any question unanswered. If you do not understand a question, or do not know the answer, please write, "I do not understand," or "I do not know." If there are things you do not want to talk about in open court, please circle the question numbers and write "private" on the questionnaire.

If you require additional space for your responses or wish to make further comments regarding any of your answers, you may do so on the Explanation Sheet at the end of this questionnaire. Please indicate the number of the question that you are referring to on the Explanation Sheet before writing your response or comment.

United States v. Shnewer: Jury Questionnaire

Unless a question states otherwise, the fact that a particular question is asked does not imply that the subject matter of the question is an issue in the case. As you read the questions, you are not to draw any inferences about the issues that must be decided in this case.

You are instructed not to discuss this case or this questionnaire with anyone, including your family and fellow potential jurors.

Please print legibly and use only dark ink.

Please make sure that you sign the verification page at the end of this questionnaire.

Juror No. _____

I. Background Questions

1. Where do you currently reside?

City or Town: _____ County: _____

2. How long have you lived at your current address?

Years: _____ Months: _____

If you have lived at your current address for less than two years, please indicate the city and state of your prior residence: _____

3. What is your gender?

Male _____ Female _____

4. What is your age? _____ years.

5. Do you have any difficulty reading, speaking, or understanding English?

Yes _____ No _____

If yes, please specify: _____

6. Where were you born?

City and State: _____ Country: _____

7. What is your current marital status?

Married _____ Partnered _____ Single _____

Widowed _____ Separated _____ Divorced _____

Never Married _____

8. Do you have any children, including step children and foster children?

Yes _____ No _____

If yes, please state their genders and ages and, if applicable, their occupations. Do NOT state the name of any employer: _____

Juror No. _____

9. Do you have any grandchildren?

Yes _____ No _____

If yes, please state their genders and ages and, if applicable, their occupations. Do NOT state the name of any employer: _____

10. Do you live with others? If so, provide the following information without stating any names:

Relationship Sex Age Occupation/School Length of Time in Residence

11. Are you or your spouse or partner a naturalized U.S. citizen?

Yes _____ No _____

If yes, please specify who, when citizenship was attained, and the country of origin: _____

12. What do you regard as your ethnic and racial background and that of your spouse or partner?

You: _____

Spouse/Partner (if applicable): _____

13. What do you regard as your religion (if any) and that of your spouse or partner? If none, please write "none."

You: _____

Spouse/Partner (if applicable): _____

Do you still belong to the religion in which you were raised?

Yes _____ No _____

14. Approximately how often do you attend religious services? _____

Juror No. _____

15. Are you employed?

Yes _____ No _____

If yes, please state the type of work that you do. Do NOT state the name of your employer: _____

How long have you been employed at your present job? _____ years.

If yes, please state the most recent job you had before your current employment. Do NOT include the employer, but state the job title, type of work, and how long you held the job: _____

If no, please state whether you are retired, between jobs, a homemaker, disabled, or a student, and the type of work that you most recently performed:

16. About how many employees work or worked at your present or most recent job?

Under 10 _____ 100-200 _____

10-50 _____ 200-500 _____

50-100 _____ 500 or More _____

17. Do you or did you supervise other individuals?

Yes _____ No _____

If yes, how many other individuals do you or did you supervise? _____

Juror No. _____

18. If applicable, is your spouse or partner employed?

Yes _____ No _____

If yes, please state the type of work that your spouse or partner does. Do NOT state the name of your spouse or partner's employer: _____

How long has your spouse or partner been employed at his or her present job? _____ years.

If no, please state whether your spouse or partner is retired, between jobs, a homemaker, disabled, or a student, and the type of work that he or she most recently performed: _____

19. If you are divorced, separated, or widowed, what was your spouse or partner's employment? Do NOT name the employer: _____

20. Please circle the highest grade that you completed in school:

Grade: 1-8 9 10 11 12

College: 1 yr. 2 yrs. 3 yrs. 4 yrs.

Vocational/Technical School: 1 yr. 2 yrs. 3 yrs. 4 yrs.

Graduate/Professional School (specify):

If you did not graduate from high school, did you obtain a G.E.D.?

Yes _____ No _____

If you continued your studies beyond high school, what was your primary area of study and what degrees did you obtain? _____

21. Do you have any physical or emotional problems or disabilities or are you taking any medications that might interfere with your ability to serve as a juror or may cause you difficulty in hearing, seeing, or understanding evidence in a trial?

Yes _____ No _____

If yes, please explain: _____

Juror No. _____

22. Do you have a prepaid vacation, a medical procedure for yourself or a close family member that cannot be rescheduled, or another commitment that may prevent you from serving as a juror in this case?

Yes _____ No _____

If yes, please explain: _____

23. This trial is expected to last approximately eight weeks. The trial will be conducted Monday through Thursday, from 9:30 a.m. to 4:30 p.m. Is there anything about these circumstances that will prevent you from serving as a juror in this case?

Yes _____ No _____

If yes, please explain: _____

24. During the trial, you will not be sequestered, meaning that you will not be required to remain overnight. Once your deliberations begin, however, you may be sequestered, meaning that you may stay in a hotel under Court supervision. The Court would bear the entire cost of this hotel stay and provide for your security. Is there anything about these circumstances that will prevent you from serving as a juror in this case?

Yes _____ No _____

If yes, please explain: _____

II. Case-Specific Questions

25. The Government will be represented in this case by Assistant United States Attorneys William Fitzpatrick and Michael A. Hammer, Jr. Do you, anyone in your family, or a close friend know or have any connection to either of these people?

Yes _____ No _____

If yes, please explain: _____

Juror No. _____

26. The Government will be assisted in this case by F.B.I. Special Agent John J. Ryan and paralegal specialist Bethany R. Goldy, paralegal specialist Gail Horton, and IT specialist Jason DeJesus. Do you, anyone in your family, or a close friend know or have any connection to any of these people?

Yes _____ No _____

27. Do you have any connection to anyone who is employed by an office of a United States Attorney; the United States Department of Justice; the Federal Bureau of Investigation; the Department of Homeland Security; Immigration and Customs; or Alcohol, Tobacco and Firearms?

Yes _____ No _____

If yes, please explain: _____

28. The defendants will be represented in this case by the attorneys listed below. Please indicate if you, anyone in your family, or a close friend know or have any connection to any of them.

Troy Archie, Camden, NJ
Rocco Cipparone, Jr., Haddon Heights, NJ
Michael Huff, Philadelphia, PA
Michael Riley, Mount Holly, NJ
Richard Sparaco, Cherry Hill, NJ

Yes _____ No _____

If yes, please explain: _____

29. The defendants will be assisted by Giovanni Campbell, Esquire; Janelle Ryan-Colbert, Esquire; and Tracy Riley, Esquire. Please indicate if you, anyone in your family, or a close friend know or have any connection to any of them.

Yes _____ No _____

If yes, please explain: _____

Juror No. _____

30. Please review this list of defendants and indicate if you, anyone in your family, or a close friend know or have any connection to any of them.

Mohamed Ibrahim Shnewer, Cherry Hill, NJ
Dritan Duka (also known as “Tony Duka”), Cherry Hill, NJ
Eljvir Duka (also known as “Sulayman”), Cherry Hill, NJ
Shain Duka (also known as “Shaheen”), Cherry Hill, NJ
Serdar Tatar, Philadelphia, PA

Yes _____ No _____

If yes, please explain: _____

31. Have you seen, read, or heard anything about any of the defendants? This includes not only the media but anything you may have heard from friends, co-workers, family, or other people.

Yes _____ No _____

If yes, please explain: _____

32. The potential witnesses in this case include the individuals listed below. Please indicate if you, anyone in your family, or a close friend know or have any connection to any of them.

Agron Abdullahu
Hekuran Abdullahu
Patricia Alber
William Alber
David Allen
Ahmed Almghti
Mohamad Al-Mufti
Adrian Ambari

Robert Antoon Arabic Language Linguist,
Federal Bureau of Investigation

Evan Arno Investigative Specialist,
Federal Bureau of Investigation

John Augustine Special Agent,
Federal Bureau of Investigation

Colonel Blan R. Ayyar United States Air Force

United States v. Shnewer: Jury Questionnaire

Juror No. _____

Besnik Bakalli	
Bryan Baker	Investigative Specialist, Federal Bureau of Investigation
Steven C. Baker	Special Agent
Anthony Barbadoro	Investigative Operations Analyst, Federal Bureau of Investigation
Robert Barbieri	Special Agent
Joseph Barrios	Task Force Officer
Captain Phillip Beachy	United States Navy
Christopher Benson	Investigative Specialist, Federal Bureau of Investigation
Scott Birkland	Special Agent, Federal Bureau of Investigation
Emilio F. Blasse	Special Agent
David F. Bole	Special Agent
Casey Booth	
Derek D. Boucher	Special Agent
Lieutenant T. Bowns	Federal Detention Center
Sean Brennan	Task Force Officer, Federal Bureau of Investigation; Detective, Philadelphia Police Department
William P. Brooks, Jr.	Special Agent
James Brosious	Investigative Specialist, Federal Bureau of Investigation
Eric Brzowski	Investigative Specialist, Federal Bureau of Investigation
Norman Burnosky	Detective
Richard J. Cantirino	Detective
James A. Carroll	Task Force Officer
Robert S. Carroll	Special Agent
Tina Marie Catrone	

United States v. Shnewer: Jury Questionnaire

Juror No. _____

Colonel Stephen M. Christian United States Army
Alan Christie
Cheryl Christie
Mannzoor Chughti
Luke Church Special Agent
Warren Cline
Christopher Coomer Special Agent,
Federal Bureau of Investigation
Officer D. Cunningham Federal Detention Center
Kimberly Cyganik Special Agent,
Federal Bureau of Investigation
Lewis D. D'Agostino Detective Sergeant
James Dale
Sergeant Sean Dandridge Sergeant,
Philadelphia Police Department
Denise Day Special Agent,
Federal Bureau of Investigation
Joseph DeStefano
Peter M. DeStefano
Patricia Diaz Special Agent,
Federal Bureau of Investigation
Benjamin Dugan
Burim Duka
Ferik Duka
Jennifer Duka
Ljavdrim Duka
Zurata Duka
Richard Dusak Forensic Handwriting Analyst,
United States Secret Service
Ahmad A. Elfull
Salem Elkholy
John E. Ellis New Jersey State Police Investigator
Ahmad Elsull

United States v. Shnewer: Jury Questionnaire

Juror No. _____

Issa Fakhoury	Arabic Language Linguist, Federal Bureau of Investigation
Thomas Falletta	Task Force Officer, Federal Bureau of Investigation; Detective 1, New Jersey State Police
Robert Fennimore	
Fred Fife	Task Force Officer
Grace Finmarro Eugene Fletcher	
Richard D. Foran	Investigative Specialist, Federal Bureau of Investigation
John Franciotti	Special Agent
Bastian Freund	Special Agent
Ed Frimel	Special Agent
Clement Fucellaro	Task Force Officer
Ed Gallant	Special Agent
Mark Gillen	Special Agent, Federal Bureau of Investigation
Mark Gillette	
Ronald B. Good	Special Agent
Heather C. Gonzalez	
William Grace	Special Agent, Federal Bureau of Investigation
William Grajewski	Special Agent, Federal Bureau of Investigation
Jeffrey Gray	Special Agent, Federal Bureau of Investigation
Ghassan M. Hajjar	Arabic Language Linguist, Federal Bureau of Investigation
Jennifer Harlan Robert Harlan	
Colonel Steven B. Harrison	United States Air Force

United States v. Shnewer: Jury Questionnaire

Juror No. _____

Mohamad B. Hasbull Leah Haskell	
Saida A. Hassan	Special Agent
Kevin Hatton	Special Agent, Federal Bureau of Investigation
Stephen J. Heaney	Special Agent
Daniel Henkel	Special Agent
Tracy L. Heylmann	Special Agent
Leon Hinkle	
Cynthia Horan	
James Hunt	Investigative Specialist, Federal Bureau of Investigation
Troy Hyman	Task Force Officer
Gregory Ilchenko	
William Jezior	Federal Detention Center
Michelle Johnston	Investigative Specialist, Federal Bureau of Investigation
Hydeliza M. Jones Linn Jones, Jr.	
Victoria L. Jones	Special Agent
Kevin Kane	Supervisory Special Agent, Federal Bureau of Investigation
Mary Beth Kelly	Investigative Specialist, Federal Bureau of Investigation
Walter Kerr	Computer Forensic Examiner
Namiu Khan	
Louis Kinkle	Task Force Officer, Federal Bureau of Investigation; Sergeant, New Jersey State Police
Evan Kohlmann	
Alexis Krieger	Investigative Specialist, Federal Bureau of Investigation

Juror No. _____

Michael Krupa Katie L. Kurylo	
Fred Lang	Task Force Officer, Federal Bureau of Investigation; Senior Investigator, Camden County Prosecutor's Office
Eugene Lanzillo	Special Agent
Meredith Leap	Investigative Specialist, Federal Bureau of Investigation
Mark Leason Michelle Leason	
John Leonard	Special Agent, Bureau of Alcohol, Tobacco, Firearms, and Explosives
Mark Leone	Investigative Specialist, Federal Bureau of Investigation
Key Lewis	
Roberta Lorenzetti	Supervisory Investigative Specialist, Federal Bureau of Investigation
Christopher S. Machovina	Special Agent
Richard Macko	Special Agent, Federal Bureau of Investigation
Pamela A. May	
James McDonald	Supervisory Special Agent, Computer Forensic Examiner, Federal Bureau of Investigation
Ryan McPeak	Investigative Specialist, Federal Bureau of Investigation
George McGuire	Computer Forensic Examiner
Steven Meagher	Investigative Specialist, Federal Bureau of Investigation
Anderson Messer	Supervisory Special Agent, Federal Bureau of Investigation

United States v. Shnewer: Jury Questionnaire

Juror No. _____

Kevin Mimm	Special Agent, Federal Bureau of Investigation (retired)
Anvar Mirzayev Khalida Mirzayev Musa Mirzayev	
Stephen Mooney	Investigative Specialist, Federal Bureau of Investigation
James Mordecai	Special Agent
Brian Morganstern Todd A. Murborn Kenson Napoleon	
Thomas Newsome	Special Agent
Tim O'Brian	Task Force Officer
Jacob W. O'Connell	Special Agent
Mark Olexa	Special Agent, Immigration Customs and Enforcement
Mahmoud Omar	
Karen Pabon	Special Agent
Benezir Pacha Sayd Noorahmad Pacha Monica L. Palase Edith Falconit James Paoli	
Michael Parmigiana	Special Agent, Federal Bureau of Investigation
Jennifer Perusi	Investigative Specialist, Federal Bureau of Investigation
Tony Phillips a/k/a/ Abdur Raheem	
Robert Piecheck	
Donald "Justin" Price	Computer Forensic Examiner
Michael T. Poulton	Special Agent
Burhan U. Rahman	

United States v. Shnewer: Jury Questionnaire

Juror No. _____

Robert Rakitias	Special Agent, Federal Bureau of Investigation
Lina M. Ramirez	Special Agent
Edwin Ramos	Task Force Officer
Joshua Reed	Special Agent, Federal Bureau of Investigation
Kelly Richards	Investigative Specialist, Federal Bureau of Investigation
Geraldine K. Richardson	Deputy Chief Counsel, Immigration and Customs Enforcement
Andrew Rixham	Special Agent, Federal Bureau of Investigation
Stefanie Roddy	Special Agent
Vito Roselli	Special Agent
Steven Russell	Special Agent, Federal Bureau of Investigation
John Ryan	Special Agent, Federal Bureau of Investigation
Jay Rycek	Task Force Officer, Federal Bureau of Investigation; Detective, Philadelphia Police Department
Raiyan Syed	
Naima Sabour	
Jeffrey M. Sage	
Edward Saks	Special Agent, Federal Bureau of Investigation
Shiraz Saleem	
Salem Management Company	
Scott Schillinger	Computer Forensic Examiner
Captain David L. Scott	United States Coast Guard
Kevin Shanley	Special Agent, Federal Bureau of Investigation

Juror No. _____

Hassan Sharamarke

Faten Shnewer

Hana Shnewer

Ibrahim Shnewer

Inas Shnewer

Salem Shnewer

Nouman Shubbar

Task Force Officer

Daina Sileey

William Sinopole

Special Agent,
Federal Bureau of Investigation

Adnan Smailji

Irfran Smailji

Ismet Smailji

Muarem Smaili

Mumin Smaili

Ervin Smith III

Investigative Specialist,
Federal Bureau of Investigation

James Smith

Special Agent,
Federal Bureau of Investigation (retired)

Susanne Stavast

Mark Steele

John Stermel

Task Force Officer,
Federal Bureau of Investigation;
Officer, Delaware River Port Authority

Teresa Stokes

Lindsey Stott

Special Agent,
Federal Bureau of Investigation (retired)

Brian Struzik

Investigative Specialist,
Federal Bureau of Investigation

Robert J. Sweeney

Special Agent

Raiyan Syed

Bujar Taraku

Albanian Language Linguist,
Federal Bureau of Investigation

Katrina A. Tenor

United States v. Shnewer: Jury Questionnaire

Juror No. _____

Colonel Ronald R. Thaxton	United States Army
Aaron Lee Thornock	United States Navy
Louisa Tilsner	
Thomas Tilsner	
Ibrahim Torkey	
Sharon Torkey	
Peter Trucksis	Special Agent
Ilmi Tullari	
Thomas Turley	Task Force Officer, Federal Bureau of Investigation; Investigator, New Jersey Department of Homeland Security and Preparedness
Bernadette Turner	Special Agent, Federal Bureau of Investigation
Richard Vasquez	Firearms Enforcement Officer, Bureau of Alcohol, Tobacco, Firearms, and Explosives
Virginia Viola	Investigative Specialist, Federal Bureau of Investigation
Ryan Velekei	Investigative Specialist, Federal Bureau of Investigation
Steven Vosbikian Iman Wahid	
Ron Walk	Task Force Officer
Marcia Weisenfeld	
Patrick White	Special Agent, Federal Bureau of Investigation
Joseph Wright, Jr.	
Sean Wright	Investigative Specialist, Federal Bureau of Investigation

Juror No. _____

Hussein Yilmaz
Serpil Yilmaz
Mera Ziegler

Robert Zisel Sergeant

Yes _____ No _____

If yes, please explain: _____

33. Have you seen, read, or heard anything about any of these witnesses? This includes not only through the media but anything you may have heard from friends, co-workers, family, or other people.

Yes _____ No _____

If yes, please explain: _____

34. The judge who will preside over this case is the Honorable Robert B. Kugler. Do you, anyone in your family, or a close friend know or have any connection to Judge Kugler or a member of his staff?

Yes _____ No _____

If yes, please explain: _____

Juror No. _____

35. You are being considered for service as a juror in United States v. Mohamad Shnewer et al. The defendants are charged with conspiracy and attempting to murder members of the United States Armed Forces at Fort Dix, New Jersey, and elsewhere. The case has been discussed in the media as the “Fort Dix Six.” Have you read, seen, or heard anything about this case or the defendants?

Yes _____ No _____

If yes, please state in detail everything you recall about this case or the defendants from reading, hearing, or seeing anything in the media or from any other source: _____

Did you read about it in a newspaper?

Yes _____ No _____

Have you seen anything about it on TV or heard about it on the radio?

Yes _____ No _____

Have you talked with anyone or overheard anyone—including family members, friends, neighbors, people at work, or others—talking about this case or the defendants?

Yes _____ No _____

If yes, in general, what was discussed? _____

Have you read about this case on the Internet, including any blog postings or comments to news articles?

Yes _____ No _____

Have you posted any comments about this case on the Internet, including to blogs?

Yes _____ No _____

If yes, what did you say? _____

Juror No. _____

Do you have any information about this case or these defendants from any other source?

Yes _____ No _____

If yes, please explain: _____

36. Based on everything you have read, seen, or heard about this case, do you have an opinion about the guilt or innocence of any of the defendants?

Yes _____ No _____

If yes, what is your opinion? _____

37. Do you, anyone in your family, or a close friend have a connection to any of the following: United States Army Base at Fort Dix, located in Burlington County, New Jersey; McGuire Air Force Base, located in Burlington County, New Jersey; Lakehurst Naval Air Station, located in Ocean County, New Jersey; United States Army Base at Fort Monmouth, located in Monmouth County, New Jersey; Dover Air Force Base, located in Kent County, Delaware; United States Coast Guard Base, Sector Delaware Bay, located in Philadelphia, Pennsylvania; and the Greene Federal Building, located in Philadelphia, Pennsylvania?

Yes _____ No _____

If yes, please explain: _____

38. Did you, anyone in your family, or a close friend attend the 2006 Army-Navy football game?

Yes _____ No _____

III. General Criminal Trial Questions

39. Under our United States Constitution, the defendants are presumed to be innocent and cannot be found guilty of any offense unless and until the United States has proved each element of that offense beyond a reasonable doubt. Do you accept this principle and agree to apply it?

Yes _____ No _____

Juror No. _____

40. The defendants are not required to testify or to present their side of the story to the jury at all. Under our United States Constitution, the defendants have the absolute right to remain silent; and the jury may not consider the fact that the defendants choose not to testify as evidence against them. Do you understand that the defendants' silence may not be held against them, and that you may not consider it in your deliberations?

Yes _____ No _____

41. Do you think a defendant has an obligation or duty to explain his or her side of the case?

Yes _____ No _____

42. If a defendant chooses to not testify, would you consider that to be evidence of that defendant's guilt?

Yes _____ No _____

43. Do you believe that if the United States brings a person to trial, that person is probably guilty?

Yes _____ No _____ Unsure _____

44. Do you believe that innocent people are sometimes convicted of crimes they did not commit?

Yes _____ No _____ Unsure _____

45. Do you feel that because of your attitudes about, or experiences with, law enforcement officers, the testimony of a law enforcement officer is entitled to greater, or less, weight than a regular citizen witness simply because of his or her status as a law enforcement officer?

Yes _____ No _____

46. At the conclusion of the case, the Court will instruct you on the law and explain to you the elements of the crimes charged in the indictment. Do you have any personal, religious, philosophical, or other beliefs as to what the law is or should be that would make it difficult for you to follow the instructions of the Court?

Yes _____ No _____

If yes, please explain: _____

Juror No. _____

47. Do you believe that the protections of free speech in the United States extend to both citizens and noncitizens?

Yes _____ No _____

If yes, please explain: _____

48. Do you think a person can criticize the U.S. government and still be patriotic?

Yes _____ No _____

If yes, please explain: _____

49. Some of the defendants are citizens of the United States and some are not. Would you afford each of the defendants the same consideration?

Yes _____ No _____

50. There will be evidence in this case consisting of tape recordings of conversations taking place over the telephone through the use of electronic devices commonly known as "wiretaps." Before received in evidence, the court will have ruled that this evidence is lawfully before you and you may give it the weight you deem appropriate. How do you feel about electronic surveillance of private conversations? _____

51. There may also be evidence obtained from photographic and physical surveillance as well as evidence seized pursuant to lawful searches of various places, including the homes of some of the defendants. How do you feel about surveillance or searches of private property? _____

Juror No. _____

52. You may hear testimony in this case concerning the use of informants or cooperating witnesses by federal authorities in their investigation. One or more of these individuals may be called to testify in this case. Do you have any feelings about the United States using such informants or cooperating witnesses?

Yes _____ No _____

If yes, please explain: _____

53. You may hear testimony in this case concerning the use of American or foreign intelligence services. Do you have any feelings about American or foreign intelligence services?

Yes _____ No _____

If yes, please explain: _____

54. You may notice a security presence in the courthouse and the courtroom throughout this trial. Is there anything about this security presence that will affect your ability to sit as a juror in this case?

Yes _____ No _____

If yes, please explain: _____

Do you have any concerns about the security presence?

Yes _____ No _____

If yes, please explain: _____

Juror No. _____

IV. Knowledge of Arabic, Islam, Ethnicity, and Immigration

55. Do you speak, read, write, or understand the Arabic language or any dialect of Arabic?

Yes _____ No _____

If yes, please indicate your proficiency (beginning, intermediate, conversational, or fluent) as to speaking, reading, writing, and understanding: _____

56. Do you read any Arabic-language newspapers or publications, watch any Arabic-language television programs, or view any Arabic-language Internet sites?

Yes _____ No _____

If yes, please describe: _____

57. Do you speak, read, write, or understand the Albanian language or any dialect of Albanian?

Yes _____ No _____

If yes, please indicate your proficiency (beginning, intermediate, conversational, or fluent) as to speaking, reading, writing, and understanding: _____

58. Do you read any Albanian-language newspapers or publications, watch any Albanian-language television programs, or view any Albanian-language Internet sites?

Yes _____ No _____

If yes, please describe: _____

Juror No. _____

59. To the best of your knowledge, in what contexts have you had contact with people who follow the religion of Islam (Muslims) or are of Albanian, Jordanian, Turkish, or Palestinian descent? Please check all of the following answers that apply:

In the family _____ In the neighborhood _____ In organizations _____

Through work/business _____ In places of worship _____

In school _____ In everyday life (shopping, movies, etc.) _____

None _____ Other _____

60. In private matters, what words do you use to describe someone who practices the Islamic faith? _____

61. Is there anything about a case where a defendant or witness is Muslim (meaning that he or she practices the Islamic faith) that would make it difficult for you to serve as a fair and impartial juror?

Yes _____ No _____

If yes, please describe: _____

62. Do you personally know anyone who is a student of, or who practices, the Islamic faith?

Yes _____ No _____

If yes, please describe your relationship to that person and whether you have discussed that person's faith with him or her: _____

63. How knowledgeable are you about the history and practices of the Islamic faith?

Very knowledgeable _____

Somewhat knowledgeable _____

Slightly knowledgeable _____

Not knowledgeable at all _____

64. Do you believe that Islam endorses violence?

Yes _____ No _____

Juror No. _____

65. Have you ever visited a mosque?

Yes _____ No _____

66. Is there anything about Islamic teachings or doctrine that is offensive to you?

Yes _____ No _____

If yes, please explain: _____

67. If you were to hear that one or more of the defendants have expressed negative views of Jewish people, would you hold it against the defendant?

Yes _____ No _____

68. If you hear an allegation that any one of the defendants supported or sympathized with Osama bin Laden, al Qaeda, or the Taliban, would you be biased for or against that particular defendant?

Yes _____ No _____

69. If you hear an allegation that any one of the defendants possessed and viewed jihadist videos, would you be biased for or against that particular defendant?

Yes _____ No _____

70. Who do you think is responsible for the attack on the United States on September 11, 2001? _____

71. Are you familiar with the organization known as "al Qaeda"?

Yes _____ No _____

If yes, please explain your understanding of what "al Qaeda" is: _____

72. Do you have an opinion about the words "jihad" or "violent jihad"?

Yes _____ No _____

If yes, please explain what you understand those words to mean: _____

Juror No. _____

73. Do you have an opinion about the word “mujahideen”?

Yes _____ No _____

If yes, please explain what you understand that word to mean: _____

74. Do you have an opinion about the word “fatwa”?

Yes _____ No _____

If yes, please explain what you understand that word to mean: _____

75. Do you have an opinion about the word “Islamic” or “radical Islamic fundamentalists”?

Yes _____ No _____

If yes, please explain what you understand those words to mean: _____

76. Are you a member of or have you ever contributed money or gifts to an organization that takes a position on Islam or Muslims?

Yes _____ No _____

If yes, please explain: _____

77. If you hear the defendants encourage financial support of or to an organization of any pro-Islamic Muslim organization, would you be biased for or against that particular defendant? _____

Juror No. _____

78. Are any of your relatives, close friends, or co-workers of Albanian, Turkish, Jordanian, or Palestinian descent?

Yes _____ No _____

If yes, please describe: _____

79. The defendants in this case are of Albanian, Turkish, Jordanian, and Palestinian descent. Do you have any negative feelings or opinions about Muslims or people who are of Albanian, Jordanian, Turkish, or Palestinian descent?

Yes _____ No _____

If yes, please explain: _____

80. Are you a member of or have you ever contributed money or gifts to an organization dealing with immigration?

Yes _____ No _____

If yes, please explain: _____

81. How do you feel about immigration reform? _____

82. Do you have any positive or negative feelings about someone entering the United States illegally?

Yes _____ No _____

If yes, please explain: _____

Juror No. _____

83. Do you have strong feelings pertaining to issues concerning immigration?

Yes _____ No _____

If yes, please explain: _____

V. Military and National Security

84. Have you or any member of your immediate family ever served in the military, including the National Guard and military reserves?

Yes _____ No _____

If yes, please describe the nature of such service, including the dates of service, branch of the military, rank, and duties: _____

a. Have you or any member of your immediate family ever been involved in a court martial?

Yes _____ No _____

If yes, please explain: _____

b. Have you or any member of your immediate family ever been involved in a combat situation?

Yes _____ No _____

If yes, please explain: _____

Juror No. _____

85. Have you or anyone you know ever been stationed as a member of the armed forces or employed as a civilian at any of the following: United States Army Base at Fort Dix, located in Burlington County, New Jersey; McGuire Air Force Base, located in Burlington County, New Jersey; Lakehurst Naval Air Station, located in Ocean County, New Jersey; United States Army Base at Fort Monmouth, located in Monmouth County, New Jersey; Dover Air Force Base, located in Kent County, Delaware; United States Coast Guard Base, Sector Delaware Bay, located in Philadelphia, Pennsylvania; and the Greene Federal Building, located in Philadelphia, Pennsylvania?

Yes _____ No _____

If yes, please explain: _____

86. Have you or anyone you know served in a combat situation in Afghanistan, Iraq, or elsewhere in the Middle East?

Yes _____ No _____

If yes, please explain: _____

If yes, does this affect your perception of Muslims? If so, please explain: _

87. Do you know anyone who was a victim of a terrorist act, either in this country or abroad?

Yes _____ No _____

If yes, please explain: _____

Juror No. _____

VI. Law, Government, and Law Enforcement

88. Have you ever served as juror?

Yes _____ No _____

If yes, please state the date, court, nature of the case, whether there was a verdict, and what the verdict was: _____

If yes, did you serve as a foreperson or spokesperson? Yes _____ No _____

89. Have you ever served as a grand juror?

Yes _____ No _____

If yes, did you serve as a foreperson or spokesperson? Yes _____ No _____

90. Have you or anyone in your family had any education or training in the law?

Yes _____ No _____

If yes, please describe: _____

91. Have you or anyone in your family ever worked in a law-related profession?

Yes _____ No _____

If yes, please describe: _____

Juror No. _____

92. Have you or anyone in your family ever worked in law enforcement in any capacity, including but not limited to as a police officer, sheriff's officer, trooper, investigator, agent, corrections officer, or probation officer, or military police officer?

Yes _____ No _____

If yes, please describe: _____

If no, have you, any relative, or close friend ever applied for a job in law enforcement or a criminal justice agency?: _____

Yes _____ No _____

If yes, please explain: _____

93. Have you or anyone in your family ever worked for another governmental agency?

Yes _____ No _____

If yes, please describe: _____

94. Do you or anyone in your house own any firearms?

Yes _____ No _____

If yes, please describe: _____

Juror No. _____

95. Do you have feelings pertaining to issues concerning firearms?

Yes _____ No _____

If yes, please explain: _____

96. Are you in favor of or opposed to gun control legislation?

In favor _____ Opposed _____

97. Have you or anyone in your immediate family ever been charged with a crime?

Yes _____ No _____

If yes, please describe: _____

a. If you or anyone in your immediate family has ever been charged with a crime, do you feel that person was treated fairly by law enforcement and the criminal justice system?

Yes _____ No _____

If no, please explain: _____

98. Have you ever testified as a witness in a legal proceeding?

Yes _____ No _____

If yes, please describe: _____

Juror No. _____

99. Have you, a member of your family, or a close friend ever been the victim of a crime?

Yes _____ No _____

If yes, please describe: _____

100. To your knowledge, have you, a member of your family, or a close friend ever been the subject of a surveillance (visual, photographic, or electronic) by law enforcement?

Yes _____ No _____

If yes, please describe: _____

101. Have you or a member of your family ever been, or do you or they expect to become, involved in any legal action or dispute with the United States or any agency, officer, or employee of the United States, or have you ever had any financial interest in such a dispute?

Yes _____ No _____

If yes, please describe: _____

102. Have you or a member of your family ever been, or do you or they expect to become, involved in any legal action or dispute with any state, county, or local government or any agency, officer, or employee of any state, county, or local government, or have you ever had any financial interest in such a dispute?

Yes _____ No _____

If yes, please describe: _____

Juror No. _____

VII. Media and Hobbies

103. Please state the name of any newspapers, magazines, or other publications that you or your family have subscribed to in the past five years: _____

104. Please state the name of any newspapers and magazines that you do not subscribe to but read regularly and state how often you read each publication:

105. Please state any television newscasts, including cable newscasts, that you watch regularly: _____

106. Please state any radio broadcasts, including talk radio, that you listen to regularly and indicate how often you listen to them: _____

107. Please state any Internet sites, including social network sites and blogs, that you visit regularly: _____

108. Please list any hobbies or activities that you enjoy during any leisure time:

109. This case may receive media attention. The Court wants to make sure that this case is decided solely on the evidence presented in the courtroom and not based on things that are said outside the courtroom. Accordingly, you *must* avoid reading about the case in the newspapers or on the Internet, or listening to any radio or television reports about the case. You *must* avoid discussing this case with friends or family. Would these requirements pose any difficulty for you?

Yes _____ No _____

If yes, please explain: _____

Juror No. _____

VIII. Miscellaneous

110. Is there any other reason why you do not feel that you can serve as a fair and impartial juror in this case?

Yes _____ No _____

If yes, please explain: _____

111. As a result of having been asked to fill out this questionnaire, have you formed any opinions about this case?

Yes _____ No _____

If yes, please explain: _____

112. What was your reaction when you learned what case you had been called for? _____

113. Do you want to be a juror in this case? Why or why not? _____

114. If you listed anything that would make it difficult or impossible for you to serve on a jury, what, if anything, could be done to make your serving easier or possible? _____

115. Do you have any religious, philosophical, moral, or other belief that might make you unable to render a verdict in a criminal case?

Yes _____ No _____

If yes, please explain: _____

Please sign the verification on page 40.

Juror No. _____

VERIFICATION SHEET

Please note that the jury clerk will detach this page from the questionnaire when you turn it in. No one else will see this page.

I swear that the answers given by me to the questions on this Juror Questionnaire are truth to the same effect as if I were sworn under oath in open court to give truthful answers to the same.

Signature

Name: _____

Address: _____

Phone Number: _____

Juror No.: _____

Date: _____

Please note that from this point on until you are dismissed from further service as a juror, you are under court order that prohibits you from reading about this case, watching or listening to any broadcasts about this case, doing any research on the Internet or elsewhere about this case, and discussing this case with anyone else. Thank you.

United States v. Sadequee: Jury Questionnaire

Hon. William S. Duffey, Jr.
Northern District of Georgia
September 29, 2008

The following questionnaire was prepared by the Northern District of Georgia's United States District Judge William S. Duffey, Jr., to facilitate jury selection in a terrorism prosecution, *United States v. Sadequee*, No. 1:06-cr-147 (N.D. Ga. Mar. 23, 2006). The questionnaire was prepared in collaboration with attorneys for both sides. After prospective jurors filled it out and before follow-up voir dire began, the defendant elected to represent himself.

The questionnaire is presented in two parts so that some questions are answered before prospective jurors know much about the case on which they may serve.

Jury Questionnaire Part 1

You are part of the panel of prospective jurors for the above-listed case. To make the jury selection process more efficient and effective for everyone, you will be completing the following questionnaire. It is designed to elicit from you information that will assist the prosecution and the defense in making important decisions as to which of you will serve as jurors during the trial. Your answers will remain confidential and under seal; they will be used only by the Judge and the parties to select a qualified and impartial jury.

Do not discuss the questions or your answers with friends, family members, or fellow panelists. It is important that your answers are yours and yours alone. The questions are not meant to be intrusive, but you will be asked about some personal matters. Your answers will help the Judge, the Government, and the Defendant select the best jury possible in a way that respects your time and privacy. After a jury has been selected, all copies of your responses to this questionnaire will be returned to the Clerk of the Court and kept in confidence and under seal. The parties are under orders to maintain the confidentiality of any information they learn in the course of reviewing these questionnaires and discussing them with you.

Please write your juror number on every page in the blank provided.

Please print your answer to each question as *legibly, completely, and accurately* as you can. Please answer every question, and do not leave any question blank. If the question does not apply to you, write "N/A" for not applicable. If there is something you would like to discuss privately with the Judge and the lawyers, and not in front of the other jurors, please note this in your answer to the question or questions causing you concern.

United States v. Sadequee: Jury Questionnaire

Juror No. _____

You must sign your questionnaire; your answers will be given the same effect as a statement given to the Court. What is needed is your very best, honest effort to answer all of the questions contained in this questionnaire. You should not disclose to anyone else the fact that you have been summoned for this case. You should avoid learning anything about the case through the media, on-line research, or otherwise between now and the conclusion of the jury selection process. You should not discuss this case, its subject matter, or this questionnaire with anyone, including those family members closest to you.

Thank you for your time and candor.

1. Name (first, middle, last): _____
2. Maiden Name: _____
3. Gender: _____
4. Age: _____
5. City and County of Residence: _____
If Atlanta, list neighborhood or area: _____
6. How long have you lived at your current address?
7. List other cities in which you have lived during the past 10 years:

8. What is your ethnic background?
____ White/Caucasian, not Hispanic
____ Black/African-American, not Hispanic
____ Hispanic/Latino
____ Asian or South Asian
____ American Indian or Native American
____ Other: _____
(please specify)
9. City, state, and country of birth: _____
If you were not born in the United States, when did you become a citizen?

United States v. Sadequee: Jury Questionnaire

Juror No. _____

10. Are you able to read, write, and understand the English language without any difficulty?

Yes _____ No _____ If no, please explain:

11. Is English your first language?

Yes _____ No _____

12. What other languages do you speak, read, or understand?

13. What is your educational background? (Answer **all** that apply to you)

_____ Grade school or less
_____ Some high school
_____ Technical or business school
_____ Graduated from high school at _____
_____ Some college at _____
_____ Graduated from college at _____
with a degree in _____
_____ Completed graduate school at _____
with a degree in _____

14. Have you or any member of your immediate family had any legal training or studied law, including by participating in a paralegal program or through on-the-job training? (Note: For the purposes of this questionnaire, the term "immediate family" includes a spouse, domestic partner, father, mother, sister, brother, daughter, or son.)

Yes _____ No _____ If yes, please describe:

United States v. Sadequee: Jury Questionnaire

Juror No. _____

15. Current (or most recent) employment status (check **all** that apply):

- _____ Self-employed
- _____ Work full-time
- _____ Work part-time
- _____ Homemaker for _____ years
- _____ Student for _____ years;
currently at _____ (name of school)
- _____ Disabled and unable to work for _____ years
- _____ Unemployed/laid off for _____ years or _____ months
- _____ Retired for _____ years
- _____ Other: _____

16. Where do you work now?

17. Describe your current job and what you do:

18. List other jobs you have had in the past 10 years:

19. Have you ever owned or managed your own business?

Yes _____ No _____

20. Do you supervise others in your current job or in previous jobs?

Yes _____ No _____ If so, how many? _____

21. Are you: Single _____ Married _____ Domestic Partner _____
Separated _____ Divorced _____ Widowed _____

22. Your spouse or domestic partner's name: _____

23. Your spouse or domestic partner's city, state, and country of birth:

24. Your spouse or domestic partner's current occupation:

Juror No. _____

25. Your spouse or domestic partner's occupations in the past 10 years:
26. Your spouse or domestic partner's educational background:
27. If there are any additional adults living in your household, please tell us what type of work they do (or school they attend), and their relationship to you:
28. Do you have children?
Yes _____ No _____
If yes, how many? _____
29. If applicable, please complete the following for your children over 18 years old (for more than four children, provide the requested information on the back of this page):
- a. *First Child:* Gender: _____ Age: _____
School Attending: _____
Current Employment: _____
- b. *Second Child:* Gender: _____ Age: _____
School Attending: _____
Current Employment: _____
- c. *Third Child:* Gender: _____ Age: _____
School Attending: _____
Current Employment: _____
- d. *Fourth Child:* Gender: _____ Age: _____
School Attending: _____
Current Employment: _____

Juror No. _____

30. Have you served in the military?

Yes _____ No _____

a. If yes, which branch? _____

b. What were your dates of service? _____

c. What was your rank at discharge? _____

d. Were you honorably discharged? _____

e. Were you ever deployed to a war or combat zone?

Yes _____ No _____

If yes, please describe where, when, and your role:

31. Has an immediate family member served in the military?

Yes _____ No _____ If yes, who? _____

a. If yes, which branch? _____

b. What were their dates of service? _____

c. What was their rank at discharge? _____

d. Were they ever deployed to a war or combat zone?

Yes _____ No _____

If yes, please describe where, when, and their role:

Juror No. _____

32. Have you or any members of your immediate family ever worked for a local, state, or federal government, including any law enforcement agency?

Yes _____ No _____

a. If yes, who?

b. What was the job?

c. Are you or your family members still working in this position, and, if not, when was the last time the person held this position?

33. Have you ever been involved in a lawsuit (other than a divorce case)?

Yes _____ No _____

a. How many lawsuits have you been involved in?

b. Were you the plaintiff?

c. Were you the defendant?

d. What was the nature of the suit or suits?

e. Were you satisfied with the results, and, if not, why?

Juror No. _____

34. Have you ever served as a trial juror?

Yes _____ No _____

a. When? _____
(If more than once, please provide the additional information on the back of this page.)

b. Was it criminal? _____ or civil? _____

c. Was it state? _____ or federal? _____

d. If criminal, what kind of case was it?

e. Did you reach a verdict?

Yes _____ No _____

f. Were you the jury foreperson?

Yes _____ No _____

35. Have you served as a grand juror?

Yes _____ No _____

a. Was it state? _____ or federal? _____

b. Were you the grand jury foreperson?

Yes _____ No _____

36. Have you or an immediate family member ever worked for a lawyer or in a law office?

Yes _____ No _____

If yes, who did, and what were your or their responsibilities?

Juror No. _____

37. Have you, an immediate family member, or a close friend ever been

	Yes, I have	Yes, an immediate family member or a close friend has	No
a. charged with a crime?	_____	_____	_____
b. convicted of a crime?	_____	_____	_____
c. incarcerated?	_____	_____	_____
d. investigated by law enforcement?	_____	_____	_____
e. the victim of a crime?	_____	_____	_____
f. unfairly treated by law enforcement?	_____	_____	_____

If you answered yes to any of the above, please explain.

38. Have you, an immediate family member, or a close friend ever had a particularly good or bad experience with the following? (Please check **all** that apply.)

- _____ Law enforcement (police officer, sheriff's deputy, federal agent, etc.)
- _____ Prosecutor or prosecutor's office
- _____ Criminal defense attorney or defense attorney's office
- _____ Court or judge
- _____ Any federal, state, or local agency

If yes, please explain the circumstances and state who was involved and whether it was a good or bad experience and why.

Juror No. _____

39. Do you believe that

a. racial minorities are treated differently by police and law enforcement?

Yes _____ No _____ If yes, please explain:

b. religious minorities are treated differently by police and law enforcement?

Yes _____ No _____ If yes, please explain:

c. ethnic minorities are treated differently by police and law enforcement?

Yes _____ No _____ If yes, please explain:

40. Are you aware of anyone who you feel was unfairly investigated or prosecuted for a crime?

Yes _____ No _____ If yes, please explain:

Juror No. _____

41. Are you, an immediate family member, or anyone close to you employed in, or do you have a background or training in, any of the following? (Please check **all** that apply.)

- Law enforcement (including police, sheriff, FBI, or other federal agency)
 United States Attorney's office or other prosecutor's office
 Lawyer's office
 Local, state, or federal government
 Court system
 Corrections (or prison system)
 Any intelligence agency (such as the CIA, the National Security Agency, or any intelligence service of the military)

If you checked any, please explain who and what office or agency:

42. Have you or any member of your immediate family ever had any legal dispute or claim with or against any department or agency of any local, state, or federal government?

Yes No

If yes, state briefly the nature of the dispute or claim and the resolution, if any:

43. Have you or anyone in your immediate family ever had assets seized or other collection measures (including garnished wages or a levy on bank accounts) initiated by any federal or state agency, including for child support payments?

Yes No If yes, please explain:

Juror No. _____

44. Have you ever been involved in a court proceeding in any other way?

Yes _____ No _____

If yes, please check all that apply:

_____ A witness

_____ Giving a deposition

_____ Other: _____
(please explain)

45. Please list the newspapers, magazines, internet sites, and other news sources that you review on a regular basis:

46. How often do you or your spouse read newspaper editorials or opinion pages (including blogs and internet news sites)?

_____ Daily

_____ Weekly

_____ Monthly

_____ I don't follow the news

47. What types of books do you enjoy reading?

48. What programs and stations do you listen to on the radio?

49. What television shows do you enjoy?

United States v. Sadequee: Jury Questionnaire

Juror No. _____

50. Have you or your spouse ever written a letter to the editor of a newspaper, called a radio or television station, or posted a comment on-line about an issue?

Yes _____ No _____ If yes, what was the issue?

51. Do you or your spouse frequently watch truTV (formerly Court TV) or crime shows such as CSI, Law and Order, or Nancy Grace?

Yes _____ No _____ If yes, which shows?

52. Do you follow major criminal trials in the news?

Yes _____ No _____

If yes, what trials have you followed or are you following?

53. What are your favorite leisure-time interests, hobbies, or activities?

54. Do you spend time solving crossword puzzles, jigsaw puzzles, or other types of puzzles?

Yes _____ No _____

If yes, do you consider yourself to be accomplished at this hobby?

United States v. Sadequee: Jury Questionnaire

Juror No. _____

55. Please list the last five movies you have seen in a theater or on tape, a DVD, or television:

56. Do you have a bumper sticker or a personalized license plate on your car?

Yes _____ No _____

If yes, what does it (they) say?

57. How often do you use the internet?

58. For what purposes do you use the internet?

59. Do you have your own social networking page (for example, a page on Facebook, MySpace, or Twitter)?

Yes _____ No _____

If yes, what website hosts your page?

Juror No. _____

60. Have you talked or do you talk on-line?

Yes _____ No _____

a. If yes, how?

Chatrooms _____

Instant Messaging _____

Skype _____

Other (please specify): _____

b. If yes, how often?

Daily _____

Weekly _____

Rarely _____

c. If you have children, do they communicate on line?

61. Are you familiar, through formal studies in school or otherwise, with any of the following:

The Occult Yes _____ No _____

The Kabbala Yes _____ No _____

Astrology Yes _____ No _____

Egyptian religions Yes _____ No _____

The New World Order Yes _____ No _____

The Anti Christ Yes _____ No _____

Please explain any yes answer:

62. Do you blog or write your thoughts or comments on-line?

Yes _____ No _____

If yes, on which websites have you blogged or posted thoughts or comments?

Juror No. _____

63. What is your religious affiliation, if any?

64. Are you a member of a church, mosque, synagogue, temple, or other religious institution?

Yes _____ No _____

If yes, please state any offices or leadership positions you hold or have held:

If yes, how often do you attend?

_____ every week

_____ occasionally

_____ only on significant religious holidays or occasions

65. Have you studied religion or comparative religion in school?

Yes _____ No _____

If yes, please explain what you have studied:

66. Do you consider yourself to be politically

_____ very liberal

_____ somewhat liberal

_____ moderate

_____ somewhat conservative

_____ very conservative

_____ none of the above

Juror No. _____

67. Please list the names of all organizations to which you or your immediate family members belong, including clubs, unions, societies, fraternal organizations, and professional organizations, and state any offices you hold or have held in these organizations:

68. The Judge and the parties estimate this case may last up to two weeks. Do you have any

_____ physical problems (such as an inability to remain seated for 2-3 hours at a time)

_____ medical problems (such as with your sight or hearing)

_____ other conditions or issues ____ that would make it difficult for you to serve as a juror in this case?

If so, please explain:

Juror No. _____

69. Jury service is one of the highest duties—and privileges—of being a United States citizen; your participation is essential to the proper administration of justice. Mere inconvenience or the usual financial and personal hardships of jury service will not excuse you from serving on this case. You must show that service in this case would cause an unacceptable hardship before you will be excused from jury duty.

Would you have a *serious* hardship if chosen for this case?

Yes _____ No _____

If yes, please fully explain your hardship and the arrangements you could make to alleviate your hardship:

JUROR'S OATH

I declare under penalty of perjury that the information that I have provided in this Juror Questionnaire is true and correct.

DATE

JUROR SIGNATURE

Printed Name: _____

Juror Number: _____

Jury Questionnaire Part 2

You are part of the panel of potential jurors for the case of *United States v. Ehsanul Islam Sadequee*. The United States is represented by Robert McBurney and Christopher Bly of the United States Attorney's Office for the Northern District

Juror No. _____

of Georgia and Alexis Collins of the Counterterrorism Section of the United States Department of Justice. The Defendant is represented by Donald F. Samuel of Garland, Samuel & Loeb, P.C., and Khurram Wahid of Wahid, Vizcaino & Maher, LLP.

Defendant Sadequee has been indicted by a federal grand jury and charged with conspiring to provide, attempting to provide, and providing material support and resources to terrorists and to a foreign terrorist organization.

An indictment is merely an accusation. It is not proof or evidence. You may draw no inference against the Defendant from the fact that he has been indicted. The Defendant has pleaded not guilty, and he is presumed innocent. The Defendant does not have to prove anything, and the Government bears the burden of proving the Defendant guilty beyond a reasonable doubt.

Please complete the remaining questions, which are specific to this case, just like you completed those in the first questionnaire. Thank you again for your time, honesty, and cooperation.

70. Do you know or have you had any contact (personal, business, or social) with

- _____ Judge William S. Duffey, Jr., or any member of his staff
- _____ Any other judge in the Northern District of Georgia
- _____ David E. Nahmias, the United States Attorney for the Northern District of Georgia
- _____ Robert McBurney, Alexis Collins, or Christopher Bly (the prosecutors)
- _____ Anyone else who works in the United States Attorney's Office
- _____ Ehsanul Islam Sadequee (the defendant)
- _____ Anyone in Ehsanul Islam Sadequee's family
- _____ Donald F. Samuel or Khurram Wahid (the defense attorneys)
- _____ Anyone who works in Donald Samuel's firm (Garland, Samuel & Loeb) or anyone who works in Khurram Wahid's firm (Wahid, Vizcaino & Maher)
- _____ Any other person in the jury pool

If yes, please list whom you know or have had contact with, and how you know that person:

United States v. Sadequee: Jury Questionnaire

Juror No. _____

71. Do you hold any belief, religious or otherwise, which discourages or prevents jury service?

72. Do you have any knowledge about the facts in this case or about Defendant Sadequee other than what you have learned today?

Yes _____ No _____ Not Sure _____

If yes or not sure, what knowledge do you have?

73. Do you know any other person who has been called to serve as a juror in this case?

Yes _____ No _____

If so, how did you learn of their service?

74. Have you read, seen, or heard about this case in any newspaper, TV, or radio program, internet site, or any other source?

Yes _____ No _____ Not Sure _____

If yes or not sure, what have you read, seen, or heard?

What stands out most in your mind about what you have read, seen, or heard?

Juror No. _____

75. Have you formed any opinion about the case or about Defendant Sadequee?

Yes _____ No _____

If yes, what is your opinion?

76. There was a trial earlier this summer involving an alleged co-conspirator of Defendant Sadequee's whose name is Syed Haris Ahmed. What, if anything, do you know about that trial?

77. (Answer required only if you answered that you know something about the trial mentioned in Question 76.) If you have knowledge of the earlier trial of Syed Haris Ahmed, would that make it difficult for you to listen to the evidence with an open mind and render a verdict based solely on the evidence presented during this trial and the law as instructed by the Judge?

Yes _____ No _____ Not Sure _____

If yes or not sure, please explain:

78. Are you able to put aside any other pre-trial publicity or information that you have received regarding this case and focus only on the evidence that is presented in the trial and the legal instructions given to you by the Judge?

Yes _____ No _____ Not Sure _____

If no or not sure, please explain:

Juror No. _____

79. Before trial and as the trial proceeds, this case may be the subject of stories in the media. The Judge will instruct you not to read, browse, or listen to any of this media coverage. Please explain any concerns you have about following this instruction.
80. The Judge will also instruct you not to use the internet or any other sources to research anything about this case. Please explain any concerns you have about following this instruction.
81. Do you know, or have you read, seen, or heard anything about, the following people? (Please check **all** that apply)
- _____ Matthew Acker
 - _____ Mariam Ahmed
 - _____ Syed Haris Ahmed
 - _____ Zubair Ahmed
 - _____ Hiam Akley
 - _____ Tim Alexandre
 - _____ James Allen
 - _____ Mirsad Bektasevic
 - _____ Aparna Bhattacharyya
 - _____ Veera Boonyasait
 - _____ Craig Bowling
 - _____ Anes Cengic
 - _____ Michael Culkin
 - _____ Richard Dearsley
 - _____ Dr. Fawaz Gerges
 - _____ Melissa Harper
 - _____ Omer Kamal
 - _____ Sheraz Khalid
 - _____ Aabid Hussein Khan
 - _____ Evan Kohlmann
 - _____ John Maguire
 - _____ Finn Månsson
 - _____ George “Doug” McGee

United States v. Sadequee: Jury Questionnaire

Juror No. _____

- _____ Lilima Nagpul
- _____ William Puller
- _____ Neil Rabinovitz
- _____ Mark Richards
- _____ Amimul Sadequee
- _____ Sharmin Sadequee
- _____ Sonali Sadequee
- _____ Michael Scherck
- _____ Khaled Sediqi
- _____ Sardar Sharif
- _____ Younis Tsouli
- _____ T. Michael Williamson
- _____ Kathy Wilz

If so, please explain:

82. Some people believe that persons of certain ethnic, racial, or religious groups are more (or less) likely to commit crimes. What is your feeling about this?

Juror No. _____

83. With regard to the United States' criminal justice system, do you think there is a difference between the way minority-group defendants, such as individuals of the Muslim faith or of South-Asian heritage, are treated as compared to non-minority defendants? (For this questionnaire, a person of "South-Asian heritage" means someone with family roots in India, Pakistan, Bangladesh, or Afghanistan.)

Yes _____ No _____ Not Sure _____

If yes or not sure, please explain:

Would that belief make it difficult for you to consider the evidence in this case with an open mind and render a verdict based solely on the evidence and the legal instructions provided in Court?

Yes _____ No _____

84. Have you ever met someone who is of the Muslim faith?

Yes _____ No _____ Not Sure _____

85. Have you, any immediate family member, or a close friend had any significant negative or positive experiences involving someone of the Muslim faith or South-Asian heritage in a personal, social, business, or other context?

Yes _____ No _____ Not Sure _____

If yes or not sure, please explain:

Would such experience or experiences make it difficult for you to listen to the evidence in this case with an open mind and render a verdict based solely on the evidence and legal instructions presented in Court?

Yes _____ No _____

United States v. Sadequee: Jury Questionnaire

Juror No. _____

86. Some people say that people accused of serious crimes are frequently treated too leniently by the courts, while others say they are treated too harshly. What is your view?

87. Is there anything about the nature of the charges in this case or the defendant in this case that would cause you a problem in serving as a juror in this trial?

Yes _____ No _____ Not Sure _____

If yes or not sure, please explain:

88. Have you or any member of your immediate family experienced what you believe to be discrimination because of your race, ethnicity, or religion?

Yes _____ No _____ If yes, please explain:

89. Do you think that your experiences with discrimination or your views on discrimination would affect your ability to be fair and impartial in this case?

Yes _____ No _____ Not Sure _____

If yes or not sure, please explain:

United States v. Sadequee: Jury Questionnaire

Juror No. _____

90. When you hear that someone is of the Muslim faith or South-Asian heritage, does that affect your perception of that person

_____ in a positive way,
_____ in a negative way, or
_____ not in any way?

Please explain:

91. Do you believe that the United States' military should be present in the Middle East, Iraq, or Afghanistan?

Yes _____ No _____ Not Sure _____

Please explain:

Juror No. _____

92. Given that this case involves a defendant of Muslim faith and South-Asian heritage charged with terrorism-related crimes, do you have any feelings or impressions about

_____ the United States' government,
_____ the United States' military,
_____ the United States Department of Justice,
_____ the Federal Bureau of Investigation (FBI),
_____ the Central Intelligence Agency (CIA),
_____ the National Security Agency (NSA), or
_____ any other governmental department or agency

that would make it difficult for you to listen to the evidence with an open mind and render a verdict based solely on the evidence presented during trial and the law as instructed by the Judge?

Yes _____ No _____ Not Sure _____

If yes or not sure, please explain:

93. Do you think that someone who merely possesses written material that provides justifications for the killing of non-Muslims should be prosecuted for his possession of such materials?

Yes _____ No _____ Not Sure _____

If yes or not sure, please explain:

United States v. Sadequee: Jury Questionnaire

Juror No. _____

94. Do you think it should be a crime for someone to express his or her support for a terrorist organization, such as Al Qaeda?

Yes _____ No _____ Not Sure _____

Please explain:

95. Have you heard of the designated terrorist organizations Lashkar-e-Tayyiba (also known as "LET") or Jaish-e-Mohammed (also known as "JEM")?

Yes _____ No _____

If yes, please explain what you know:

96. What do you know, if anything, about the conflict in the Kashmir region on the border of India and Pakistan?

97. Do you believe that you, an immediate family member, or a close friend has ever been affected in any way by a terrorist act or threat?

Yes _____ No _____ Not Sure _____

If yes or not sure, who was affected, and how?

Juror No. _____

98 . Since the September 11, 2001, terrorist attacks, do you believe the Government's policies and practices to prevent further terrorist attacks in the United States have been

- _____ too aggressive or intrusive,
- _____ not aggressive or intrusive enough,
- _____ about right, or are you
- _____ not sure?

Please explain your response, including any concerns you have had about particular policies or practices that have or have not been used:

99. What is your opinion about the war in Iraq?

100. What is your opinion about the war in Afghanistan?

101. Do you have any immediate family or close friends who are serving or have served in the military in the war in Iraq, the war in Afghanistan, or are in any way involved with counter-terrorism?

Yes _____ No _____

If so, what is that person's relationship to you, and what is or was their role?

Juror No. _____

102. Are any members of your extended family, including in-laws, or close friends of the Muslim faith?

Yes _____ No _____

If yes, what is the relationship?

Have you discussed their faith with them?

Yes _____ No _____

If yes, please explain:

103. Are any members of your extended family, including in-laws, or close friends of South-Asian heritage?

Yes _____ No _____

If yes, what is the relationship?

104. Do you have any knowledge about, or have you studied, the history and practices of Islam?

Yes _____ No _____

If yes, how knowledgeable are you and what is the source of your knowledge?

105. Do you believe that Islam generally endorses violence?

Yes _____ No _____ Not Sure _____

Juror No. _____

106. Law enforcement witnesses will testify in this case. Does the simple fact that a witness is a police officer or federal agent alone

_____ (a) make it more likely that you will believe that witness over other witnesses?

_____ (b) make it less likely that you will believe that witness over other witnesses?

_____ (c) make no difference to you, and you will evaluate the testimony of that witness as you would any other witness?

If you checked (a) or (b), please explain:

107. Do you think that a person who has been arrested by the police and charged with a crime is probably guilty?

Yes _____ No _____ Not Sure _____

If yes or not sure, please explain:

108. How do you feel about government witnesses who have received immunity from prosecution or have received or may receive more lenient treatment after pleading guilty because they have agreed to cooperate?

Juror No. _____

111. Based on all the questions that you have read in this questionnaire, do you feel you could decide the case based solely on the evidence presented in court and the Judge's instructions on the law, disregarding any other ideas, notions, or beliefs you may have about the law?

Yes _____ No _____ Not Sure _____

If no or not sure, please explain:

112. Are there any other comments you have regarding serving on this jury, or do you have any reason to believe you cannot be a fair and impartial juror if selected for the jury in this case?

113. Is there any matter not covered by this questionnaire that you think the attorneys or Judge might want to know about when considering whom to select as jurors in this case?

114. Is there any matter you would like to discuss privately with the Judge and the attorneys?

Juror No. _____

JUROR'S OATH

I declare under penalty of perjury that the information that I have provided in this Juror Questionnaire is true and correct.

DATE

JUROR SIGNATURE

Printed Name: _____

Juror Number: _____

United States v. Holy Land Foundation: Confidential Jury Questionnaire

Hon. Jorge A. Solis
Northern District of Texas
September 4, 2008

The following questionnaire was prepared by the Northern District of Texas's United States District Judge Jorge A. Solis to facilitate jury selection in a retrial for contributing funds to terrorism, *United States v. Holy Land Foundation*, No. 3:04-cr-240 (N.D. Tex. July 26, 2004).

General Instructions

This questionnaire is designed to help simplify and expedite the jury selection process. Although some of the questions may appear to be of a personal nature, please understand that the Judge and the parties must learn enough information about each juror's background and experiences to select a fair and impartial jury.

Please answer all the questions to the best of your ability. If you have any questions write them on the form. If you don't know the answer to a question then write, "I don't know." There are no "right" or "wrong" answers, only truthful answers. Do not discuss the case or your answers with anyone. It is important that the answers are yours alone. Remember, you are sworn to give true and complete answers to all questions. After reading your questionnaire, Judge Solis may personally interview you in the presence of the lawyers and give you the opportunity to discuss your answers.

Do not write on the back of any page, only the front pages will be copied. If you need additional space to complete an answer, go to the blank pages at the back of the questionnaire, indicate the number of the question, and continue your answer.

Juror No. _____

Juror Number _____
(This number may be found on the summons. Please write legibly.)

Confidential Jury Questionnaire

Please write legibly.

1. What is your age? _____
2. Are you: Male _____ Female _____
3. Do you have any problems with your hearing or vision that would make it difficult for you to serve as a juror?
Yes _____ No _____
4. Do you have any medical condition that would make it difficult for you to serve as a juror on this case?
Yes _____ No _____
If yes, briefly list the condition(s):

5. Are you (check one):
Married _____ Single _____ Living with another person _____
Living with a domestic partner _____ Divorced/Separated _____
Widow/Widower _____
6. If you have any children, please list their gender, age, and, if applicable, their current occupation: _____

7. In what city do you reside? _____
 - a. How long have you lived in this area? _____
 - b. What other places have you lived within the last 20 years? _____

8. Is English your first language?
Yes _____ No _____

Juror No. _____

9. What other languages do you speak, read, or understand?

10. Were you, your spouse, or a former spouse born outside the United States?

Yes _____ No _____

If yes, please tell us who and where they were born:

11. a. Do you speak, read, or understand Arabic or Hebrew (or any dialect of Arabic or Hebrew), or did you grow up in households where those languages or any of their dialects were spoken?

Yes _____ No _____

b. If you speak, read or understand the Arabic or Hebrew language (or any part of its dialects), would you have any difficulty relying solely upon a translator's translation of the evidence?

Yes _____ No _____

12. Are you:

_____ Employed full-time	_____ Retired
_____ Employed part-time	_____ Student
_____ Homemaker	_____ Disabled and unable to work
_____ Unemployed/Laid off	

a. What kind of work do you do? _____

b. If retired or unemployed, what was your primary vocation? _____

c. If a homemaker or student, please tell us what jobs outside the home (if any) you have had in the past two years: _____

Juror No. _____

13. What is the highest grade of schooling you have completed?

- | | |
|---|---|
| <input type="checkbox"/> 8th grade or less | <input type="checkbox"/> Community college |
| <input type="checkbox"/> Some high school | <input type="checkbox"/> Some four-year college |
| <input type="checkbox"/> High school graduate | <input type="checkbox"/> College graduate |
| | <input type="checkbox"/> Postgraduate |

a. Major area(s) of study: _____

b. Degrees or certificates: _____

14. What charitable, civic, social, union, professional, fraternal, political, recreational, or religious organizations do you belong to or participate in, and what offices, if any, have you held in any of these organizations? _____

15. Have you previously traveled outside of the United States?

Yes _____ No _____

If yes, please describe where and approximately when:

16. Have you ever served in the military?

Yes _____ No _____

a. Branch and highest rank: _____

b. Foreign stations or tours: _____

17. The judge who will preside over this case is The Honorable Jorge A. Solis, United States District Judge for the Northern District of Texas. Do you or anyone close to you know or have any connection with Judge Solis or any of his staff?

Yes _____ No _____

If yes, please explain: _____

Juror No. _____

18. Do you or does any relative or close friend know or have any connection with any of the following persons who may be seated at the counsel table for the government?

Assistant United States Attorney Jim Jacks	Yes _____	No _____
Department of Justice Attorney Barry Jonas	Yes _____	No _____
Department of Justice Attorney Elizabeth Shapiro	Yes _____	No _____
Special Agent Lara Burns, FBI	Yes _____	No _____
Special Agent Rob Miranda, FBI	Yes _____	No _____
Special Agent Carrie Ward, FBI	Yes _____	No _____

If you answered yes to any of the names above, describe your connection to this individual or these individuals: _____

19. Do you or does any relative or close friend know or have any connection with any of the following defense lawyers or their staff?

Nancy Hollander	Yes _____	No _____
Theresa Duncan	Yes _____	No _____
Joshua Dratel	Yes _____	No _____
Linda Moreno	Yes _____	No _____
Mario Cadeddu	Yes _____	No _____
Greg Westfall	Yes _____	No _____

If you answered yes to any of the names above, describe your connection and your friend or relative's connection to this individual or these individuals:

Juror No. _____

20. Do you or does any relative or close friend know or have any connection with any of the defendants?

Holy Land Foundation for Relief and Development	Yes _____	No _____
Shukri Abu Baker	Yes _____	No _____
Mohammad El-Mezain	Yes _____	No _____
Ghassan Elashi	Yes _____	No _____
Mufid Abdulqader	Yes _____	No _____
Abdulrahman Odeh	Yes _____	No _____

Please explain who has the connection in detail for each individual:

21. Have you followed any criminal cases involving allegations of terrorism or support of terrorism?

Yes _____ No _____

If yes, please list the cases and what was or is of interest to you about these cases: _____

22. This case has received media attention that is likely to continue. Is there anything you have seen, heard, or read that would interfere with your ability to render a fair verdict in this case based solely on the evidence presented in court?

Yes _____ No _____

If yes, please explain: _____

Juror No. _____

23. This case is likely to receive media attention during the trial. The Judge wants to make sure that this case is decided solely on the evidence in the courtroom and not based on things that are said outside the courtroom. Accordingly, the Judge will be advising you periodically that you must avoid reading about the case in the newspaper or listening to any radio or television reports about the case, or reading anything about the case on the Internet. The Judge will also advise you periodically that you must avoid discussing this case with friends or family during the course of the trial. Would these requirements pose any difficulty for you?

Yes _____ No _____

If yes, please explain: _____

24. What, if anything, have you seen, read, or heard about the following people facing charges in this case?

a. Ghassan Elashi: _____

b. Shukri Abu Baker: _____

c. Mufid Abdulqader: _____

d. Mohammed El-Mezain: _____

e. Abdul Rahman Odeh: _____

Juror No. _____

25. Have you heard or read about any statement made by or attributed to Ghas-san Elashi, Shukri Baker, Mufid Abdulqader, Mohammed El-Mezain, or Ab-dul Rahman Odeh?

Yes _____ No _____

If yes, how would you describe the statement and to whom was it attributed, if you recall? _____

26. Based on anything you may have read, seen, or heard in the media or else-where, have you formed an opinion as to the guilt or innocence of any of the defendants in this case?

Yes _____ No _____

If yes, please explain: _____

27. How closely have you followed the media coverage of the conflict between Israel and the Palestinians?

Very closely _____ Somewhat closely _____ Not too closely _____

28. Have you formed any opinion or belief about the nature of that conflict that would prevent you from serving as a fair and impartial juror in this case?

Yes _____ No _____

If yes, please explain: _____

Juror No. _____

29. PRIOR JURY SERVICE

a. Have you ever

- i. Served as a juror in a civil case? Yes _____ No _____
- ii. Served on a grand jury? Yes _____ No _____
- iii. Served as a juror in a criminal case? Yes _____ No _____
- iv. Been a juror in a case where the jury was unable to reach a verdict? Yes _____ No _____

b. If you have served on a jury, please list below (1) the approximate dates, (2) whether you served in state court or federal court, (3) whether it was a grand jury or a trial jury, (4) whether it was a criminal case or a civil case, (5) what the general nature of the case was (for example, robbery, murder, contract, negligence, medical malpractice, etc.), and (6) whether or not a verdict was reached.

Date	State or Federal Trial Jury	Grand Jury	Criminal or Civil	Nature of Case	Verdict

c. Is there anything about your prior jury experience that would make it difficult to serve again?

Yes _____ No _____

If yes, please explain: _____

Juror No. _____

30. Have you or anyone close to you worked for, applied to, or had training with (check all that apply):

- _____ a. Any law enforcement, security, or investigative agency, including but not limited to the police department, a state police agency, the sheriff's department, the FBI, the DEA, the Secret Service, the Postal Inspection Service, the CIA, the BICE, the INS, the Department of Homeland Security, or the Department of Justice.
- _____ b. A prison, jail, detention center, or probation service.
- _____ c. Any city or town attorney, Attorney General, state or federal prosecutor, or court.
- _____ d. Any law firm that practices criminal defense.
- _____ e. Any accounting, banking, or financial institution.
- _____ f. Any newspaper, radio, television, or other media outlet.

If yes to any of the above, please state who (relation to you), where, when, and the circumstances: _____

31. Have you or a member of your family had any legal action or dispute with the United States or any of its agencies, or any officer, agents, or employees of the United States?

Yes _____ No _____

If yes, please explain the nature of your interest in such proceedings: _____

32. Have you or a family member or close friend ever had an experience involving the police, FBI, or any other law enforcement agency, including being interviewed by or making a report to a law enforcement officer?

Yes _____ No _____

If yes, please explain: _____

Juror No. _____

33. Have you or a family member or a close friend ever been arrested, charged, or convicted for a crime other than a traffic ticket?

Yes _____ No _____

If yes, please explain who (relation to you), when, the nature of the charge, and the circumstances: _____

34. a. Some of the defendants are citizens of the United States and some are not. Under the law, in a criminal trial, non-citizens are afforded the same constitutional rights as citizens. Can you follow that law?

Yes _____ No _____

- b. Under the law generally, the protections of free speech in our democracy extend both to citizens and non-citizens. Can you follow this law?

Yes _____ No _____

35. Under the United States Constitution, a person accused of a crime does not have to testify in his defense, and his silence may not be used against him. Can you follow this law and not hold a defendant's decision not to testify against him?

Yes _____ No _____

36. The Court will instruct you that the testimony of a law enforcement officer is entitled to no greater weight or lesser weight than that of any other witness. Do you have any difficulties accepting that statement?

Yes _____ No _____

37. There may be evidence in this case consisting of tape recordings of conversations taking place over the telephone through the use of electronic devices commonly known as "wiretaps." Do you have any preconceptions of the obtaining or use of such evidence that might prevent you from considering it at trial?

Yes _____ No _____

If yes, please explain: _____

Juror No. _____

38. At the conclusion of the case, it is the Judge's task and duty to charge you on the law and explain to you the elements of the crimes charged in the indictment. Do you have personal, religious, philosophical, or other beliefs as to what the law is or should be that would make it difficult for you to follow the instructions of the Judge or that would make it difficult for you to sit in judgment of another?

Yes _____ No _____

If yes, please explain: _____

39. Have you or any member of your family or friends had any experience that would cause you to be biased for or against a defendant who is an Arab or a Muslim?

Yes _____ No _____

If yes, please explain: _____

40. Do you have any feelings about Arabs, Muslims, or the religion of Islam that would make it difficult for you to listen to evidence and decide a case with an open mind?

Yes _____ No _____

If yes, please explain: _____

41. Is there anything about the nature of the charges in this case that would affect your ability to fairly evaluate the evidence regarding whether or not the government has proved the guilt of the defendants beyond a reasonable doubt?

Juror No. _____

42. Is there any matter not covered by this questionnaire that you feel you should tell us about?

Yes _____ No _____

If yes, please explain: _____

United States v. Amawi: Jury Questionnaire

Hon. James G. Carr
Northern District of Ohio
March 4, 2008

The following questionnaire was prepared by attorneys to facilitate jury selection in a prosecution for conspiracy to fight United States forces in Iraq, *United States v. Amawi*, No. 3:06-cr-719 (N.D. Ohio. Feb. 16, 2006), the Northern District of Ohio's United States District Judge James G. Carr presiding. Judge Carr wishes he had given the questions greater scrutiny, because some proved to be too confusing to the potential jurors.

Jury Questionnaire

Your Full Name: _____

Please print legibly using dark ink.

Preliminary Instructions:

Please print your name and juror number in the space provided above on this page and your juror number at the top of each subsequent page. Please answer each question by placing an "X" next to your response or by providing the information requested. Please answer each question fully. Some questions have more than one part.

You are sworn to give true and complete answers to all questions in this questionnaire. This questionnaire is designed to help simplify and shorten the jury selection process. The purpose of this questionnaire is to determine whether prospective jurors can impartially decide this case based upon the evidence presented at trial and the legal instructions given by the presiding judge. The questions are not intended to unnecessarily inquire into personal matters. Although some of the questions may appear to be of a personal nature, please understand that the Court and the parties must learn enough information about each juror's background and experiences to select a fair and impartial jury.

All information contained in this questionnaire will be kept confidential and under seal. The questionnaires belong to the Court and all copies will be returned to the Court. After reading your questionnaire, Chief Judge Carr, as well as some of the lawyers, may personally interview you and give you the opportunity to discuss your answers.

Please answer all the questions to the best of your ability. If you have any questions, write them on the form. If you do not know the answer to a question, then write, "I don't know." There are no right or wrong answers, only *truthful* answers. Do not discuss the case or your answers with anyone. It is important

Juror No. _____

that the answers be yours alone. Remember, *you are sworn to give true and complete answers to all questions.*

The Court instructs you not to discuss the questions and answers with fellow jurors. It is very important that your answers be your own individual answers.

Further, the Court instructs you not to discuss anything about this case with anyone: not the lawyers, your fellow jurors, your family, your friends, or anyone else.

Summary of the Case

This is a criminal case. The defendants, Mohammad Amawi, Marwan el-Hindi, and Wassim Mazloun, have been charged by way of an indictment. The indictment is not evidence. Its function is simply to put the defendants on notice of the charges that the government is required to prove to the jury beyond a reasonable doubt. The law presumes all defendants are innocent.

This indictment alleges that the Defendants conspired to kill or maim persons outside of the United States and also that they conspired to provide material support to terrorists. The indictment further alleges that Mohammad Amawi and Marwan el-Hindi agreed to distribute information that would teach or demonstrate the making or use of an explosive or destructive device with the intent that the information be used in the furtherance of a Federal crime of violence. Finally, the indictment alleges that Mohammad Amawi twice threatened to take the life of or inflict bodily harm upon the President of the United States.

Later in this questionnaire, you will be given an opportunity to state whether you believe you have read or seen media reports about this case or know any of the participants in this trial.

You must keep in mind that each of the defendants is presumed innocent. This presumption of innocence stays with each defendant until and unless every element of each offense has been proved beyond a reasonable doubt by the government.

Hardship

Jury selection will be on Tuesday, March 4, 2008. The trial will commence in late March or early April 2008. Trial will be in session four days per week (Tuesday through Friday) from 8:30 a.m. to approximately 4:30 p.m. In addition to Mondays, there may be other scheduled court breaks. To be on the safe side, we are requiring that the jurors who serve on this case be available through the end of June, 2008.

If you are selected as a juror, you will be required to be present for the taking of testimony for as long as the trial lasts. There are no plans to sequester the jury, which means you will go home every day after court.

United States v. Amawi: Jury Questionnaire

Juror No. _____

You will receive \$40 per day as a fee for your jury service for the first 30 days of your service. For service beyond 30 days, you will receive \$50 per day. You will also receive payment for parking and mileage. Other details have been or will be explained to you at juror orientation.

The Court views service on a jury in a federal criminal trial to be one of the highest duties a citizen owes to the United States. Mere inconvenience or the usual financial hardship of jury service will not be sufficient to excuse a prospective juror. You must show extraordinary personal or financial hardship to be excused from service.

1. Do you have any unusual financial or other hardship that would prevent you from serving as a juror in this case?

Yes _____ No _____

(Even if you answered "yes," you must still answer the entire questionnaire.)

If yes, please explain briefly the nature of the hardship: _____

Will you be paid your salary while you serve on jury duty?

Yes _____ No _____

2. Is English your first language?

Yes _____ No _____

If no, what is your first language? _____

3. Do you have any difficulty speaking, reading, or understanding English?

Yes _____ No _____

If yes, please explain: _____

Juror No. _____

4. Do you have any physical problems or disabilities (such as hearing, eyesight, high blood pressure, stomach ailments, headaches, back, hip, or neck problems) that would make it difficult for you to serve as a juror in this case?

Yes _____ No _____

If yes, please explain: _____

5. Do you have any regularly scheduled treatments or therapies that would interfere with your ability to be in court daily?

Yes _____ No _____

If yes, please explain: _____

6. Please note that the following question, like some other questions in this questionnaire, is not meant to be overly intrusive. It may be, however, that certain medications you take may impact on your ability to concentrate or reason. So that we might more fully understand, we ask for your full disclosure.

Are you currently taking any medication?

Yes _____ No _____

If yes, please list the medications you take: _____

7. Do these medications produce any side effects that might interfere with your ability to focus or concentrate?

Yes _____ No _____

If yes, please tell us which medications and describe the side effects: _____

Juror No. _____

8. Do you have a vacation planned during the time anticipated for the trial for which you have prepaid or made a financial commitment?

Yes _____ No _____

If yes, please explain: _____

9. Have you ever been under a doctor's care for any of the following?

- a. Mental problems, including mood disorders?

Yes _____ No _____

- b. Alcohol related problems?

Yes _____ No _____

- c. Drug problems?

Yes _____ No _____

If your answer is yes to any of the questions above, please explain: _____

10. Do you have any specific problems dealing with stress or pressure?

Yes _____ No _____

If yes, please explain: _____

11. Are you a smoker?

Yes _____ No _____

If yes, do you need to smoke more often than every two hours? _____

**Whether or not you are claiming a hardship,
you must complete the rest of this questionnaire.**

Background

12. Are you: Female _____ Male _____

13. How old are you? _____

United States v. Amawi: Jury Questionnaire

Juror No. _____

14. What is your place of birth? (If outside the U.S., please tell us the city and country.)

City and State: _____ Country: _____

15. Where were your parents born?

Mother: City and State: _____ Country: _____

Father: City and State: _____ Country: _____

16. Are you, any member of your immediate family, or an in-law a naturalized U.S. citizen (formerly a citizen of another country and now a citizen of the U.S.)?

Yes _____ No _____

Please tell us your relationship to the person and when, if you know, he or she became a citizen: _____

17. In what community do you live?

City/Township/Village: _____

County: _____

18. Do you:

_____ Own your home

_____ Rent

_____ Neither own nor rent, but live with family/friend

19. How long have you lived at your present address? _____

20. How long have you lived in northwestern Ohio? _____

21. In what other communities have you lived? _____

22. Are you:

_____ Married for _____ years

_____ Single never been married

_____ Divorced

_____ Separated

_____ Widowed

_____ Living with someone

Juror No. _____

23. How would you describe your race, ethnicity, or national origin?

24. How would you describe the race, ethnicity, or national origin of your spouse or significant other?

25. Do you have any children, step children, or foster children?

Yes _____ No _____

Please list:

Age	Male/Female	Highest Level of Education	Job/Occupation	Live with you? Y/N

Education

26. What is the highest grade that you completed in school? Please check all appropriate answers:

Elementary/High School Grades:

_____ 1-7 _____ 8 _____ 9 _____ 10 _____ 11 _____ 12

College:

_____ 1 yr. _____ 2 yrs. _____ 3 yrs. _____ 4 yrs.

Please specify your college major or majors: _____

If you obtained a college degree, please specify the type: _____

Graduate or professional school: Please specify the area of study and what degree you received, if any: _____

Vocational/Technical School:

_____ 1 yr. _____ 2 yrs. _____ 3 yrs. _____ 4 yrs.

Type of vocation or technical training: _____

27. If you did not graduate from high school, did you obtain a GED? _____

Juror No. _____

28. What is the educational background of your spouse or domestic partner?

29. Have you or any member of your immediate family attended any school, college, or university in a country other than the United States?

Yes _____ No _____

If yes, please describe: _____

Employment/Vocational Training

30. If you are currently employed, please tell us about your job:

Who is your employer? _____

Do you work more than one job? _____

About how many hours do you work each week? _____

What is your job description? _____

Do you supervise other people? _____

Do you have authority to hire and fire other people? _____

How long have you worked at your job? _____

If you have held your job for less than ten years, what did you do previously? _____

Have you ever been fired from a job? _____

If so, what were the reasons given for your firing? _____

31. If your spouse or domestic partner is employed outside the home, please tell us about his or her job:

Who is his or her employer? _____

What is his or her job description? _____

Does he or she supervise other people? _____

How long has he or she worked at this job? _____

If he or she held this job for less than ten years, what did he or she do previously? _____

Juror No. _____

32. If you are retired:

Who was your last full-time employer? _____

How long did you work at that job? _____

What was your title or job description? _____

Did you supervise others? _____

Did you have authority to hire and fire others? _____

What other jobs or occupations did you have during your working years?

33. If your spouse is retired:

Who was his or her employer? _____

How long did he or she work at that job? _____

What was his or her title or job description? _____

Did he or she supervise other people? _____

34. If you are not employed outside the home, are you:

_____ A student

Where do you attend school? _____

How many days a week do you attend? _____

_____ A homemaker

_____ Between jobs

What is your usual employment? _____

_____ Disabled

What is the nature of the disability that prevents you from working?

How long has it been since you were last employed outside the home?

Juror No. _____

35. Have you, or any member of your immediate family, ever owned a business, been a member of a partnership or served on the Board of Directors of any business, corporation, or organization, including non-profit or charitable organizations?

Yes _____ No _____

If yes, please describe: _____

36. How often would you say you seek out positions of leadership when you participate with others at work or in a group? Would you say:
 _____ Always _____ Often _____ Sometimes _____ Seldom _____ Never

Contact and Experience with the Legal System

37. Have you ever served as a juror?

_____ Yes, at trial _____ Yes, on a grand jury _____ No

If you have served as a trial juror please provide the following information for each time you have served:

Date/ Place	Civil or Criminal	State or Federal	Charges/ Allegations	Did the jury reach a ver- dict, and, if so, what was it?	Were you the foreperson?

38. Have you ever served on any type of case in which testimony from an expert witness was presented to the jury?

_____ Yes _____ No _____ Not applicable

If yes, what were the areas of expertise of the witnesses? _____

39. How did you feel about your service as a juror in a trial? _____

Juror No. _____

40. Was there anything about your experience as a juror that would make you want or not want to serve again?

Yes _____ No _____

Please explain your answer: _____

41. Please describe your general feelings about the following:

a. Law Enforcement Officers: _____

b. Prosecuting Attorneys: _____

c. Defense Attorneys: _____

d. Judges and Magistrates: _____

42. Have you ever attended law school?

Yes _____ No _____

Did you graduate?

Yes _____ No _____

If no, why not? _____

43. Other than law school, have you ever received any training or taken a course in law or law enforcement, including but not limited to paralegal training, criminal justice, investigation, business law, forensic accounting, criminology, or computer crime?

Yes _____ No _____

If yes, please describe: _____

Juror No. _____

44. Are you now or have you ever been a practicing attorney?

Yes _____ No _____

If yes, please list any current or past admissions to state, federal, or any other court: _____

If yes, have you ever been disciplined or sanctioned by any state bar? Please explain: _____

If yes, please briefly describe the nature of your practice. Please include any experience in criminal law, including clerkships, internships, or pro bono activities _____

45. Do you have any close friends or relatives who are lawyers or who have attended law school?

Yes _____ No _____

If so, do they practice criminal law?

Yes _____ No _____

If so, do they ever discuss their work with you?

Yes _____ No _____

46. Do you or does any relative or close friend work for a prosecutor, criminal defense lawyer, or private investigator?

Yes _____ No _____

If so, do they ever discuss their work with you?

Yes _____ No _____

47. Do you know anyone who has been connected with the criminal justice system such as judges, law clerks, court attendants, court clerks, other types of court personnel, probation officers, or persons connected with any penal institution, jail, or penitentiary?

Yes _____ No _____

If so, do they ever discuss their work with you?

Yes _____ No _____

Note: In the following questions, the Court is not looking to pry into the past history of jurors or their families but wants to be informed as to what experiences

Juror No. _____

each juror (or a loved one) has gone through in order to determine whether these prior experiences might color the juror's perceptions of how the criminal justice system works. Thus, the following questions must be answered fully and candidly to ensure that the Court and the parties can make a proper determination of whether jurors would be particularly suited for the case. Please do not feel embarrassed about any questions, as the answers will be treated in strict confidence.

48. Have you or anyone close to you, including a family member, friend, or acquaintance, ever been accused, arrested, charged, or convicted for a crime or been the subject of a criminal investigation? Please include any charges or accusations that were ultimately dismissed, expunged, sealed, or otherwise acquitted.

Yes _____ No _____

If yes, please provide a brief description of the crime, the relationship of the person charged or accused, and the ultimate outcome: _____

If yes, how do you feel about the behavior of any law enforcement officials, attorneys, or the courts in investigating or resolving the charges discussed above? _____

Do you feel that you (or your family member or friend) were treated fairly by the criminal justice system? Why or why not? _____

United States v. Amawi: Jury Questionnaire

Juror No. _____

49. Whether or not you have had any personal experiences with the court system, do you believe that the U.S. court system treats people accused of a crime with fairness?

Yes _____ No _____

If no, please explain: _____

50. Have you ever appeared or testified as a witness in any investigation or legal proceeding?

Yes _____ No _____

If yes, please explain: _____

51. Have you ever had to appear in court, or in any legal proceeding, as a plaintiff, defendant, victim, or witness for any reason other than that explained above?

Yes _____ No _____

If yes, please explain: _____

Juror No. _____

52. Have you or anyone close to you, including a family member, friend, or acquaintance ever been the victim of or witness to a crime?

Yes _____ No _____

If yes, please provide a brief description of the crime, the relationship of the person who was the victim or witness, whether that crime was reported to the police, whether anyone was arrested for that crime, and the outcome of the case: _____

Do you feel that you (or your family member or friend) were treated fairly by the criminal justice system as a victim of or a witness to a crime? Why or why not? _____

53. Have you or anyone close to you, including a family member, friend, or acquaintance, ever worked for or applied for employment with any private, local, state, or federal law enforcement agency?

Yes _____ No _____

If yes, please identify who, the agency, the position of employment, and the length of employment: _____

54. If you indicated yes to the previous question, is there anything about that experience, or your association with someone with that experience, that would affect your ability to serve as a fair and impartial juror in this case?

Yes _____ No _____

If yes, please explain: _____

Juror No. _____

55. Would you tend to give more or less weight to the testimony of a law enforcement officer as opposed to any other witness?

_____ More weight _____ Less weight _____ Equal weight

Please explain: _____

56. Are you a vendor or contractor for the United States Government, or do you work with one?

Yes _____ No _____

If yes, please explain the relationship to you and the circumstances: _____

57. Have you or anyone close to you ever worked in an effort to change a law or the enforcement of a law?

Yes _____ No _____

If yes, please explain how you participated: _____

58. Have you, a family member, or a close friend made or brought any claims or lawsuits against any federal, state, district, or governmental agency?

Yes _____ No _____

If yes, please explain: _____

59. Have any claims or lawsuits ever been made by any federal, state, district, or local official or government agency against you, a family member, or close friend?

Yes _____ No _____

If yes, please explain: _____

60. Which statement most accurately reflects your position: "If I learned that a witness had previously used illegal drugs, I would . . ."

_____ Discredit all of that witness's testimony regardless of the circumstances of the drug use and the evidence in the case.

_____ Consider the witness's testimony in light of the circumstances of the drug use combined with the evidence in the case.

Juror No. _____

61. You may hear testimony in this case concerning the use of cooperating witnesses by federal authorities. One or more of those individuals may be called to testify in this case. Do you have strongly held feelings for or against the use of cooperating witnesses?

Yes _____ No _____

Please explain _____

62. Would your answer to the above question change if the witness was paid for being a cooperating witness?

Yes _____ No _____

Please explain: _____

63. Do you believe that the testimony of a person who receives benefits from the government for cooperation should be viewed with more caution than another witness?

Yes _____ No _____

Please explain: _____

64. Do you believe that a person who is being paid by the government to be a cooperating witness is a “snitch”?

Yes _____ No _____

Please explain: _____

65. There may be photographic evidence presented in this case downloaded from the Internet that graphically depicts acts of violence. How do you think that evidence would affect you? _____

66. Does your reaction to photographic evidence change if the images are video rather than a still picture?

Yes _____ No _____ Unsure _____

Juror No. _____

67. Do you think it should be illegal for a person to possess or own pictures or videos of graphic violence and death?

Yes _____ No _____

Please explain: _____

68. There may be evidence in this case consisting of recordings of conversations taking place over the telephone or face-to-face through the use of recording devices. Do you have any favorable or unfavorable views about the use of such evidence?

Yes _____ No _____

If yes, please explain: _____

69. There may also be evidence obtained from photographic and physical surveillance and evidence obtained from various places, including the homes of the defendants and others. Do you have favorable or unfavorable views about the use of evidence obtained through such surveillance or search?

Yes _____ No _____

If yes, please explain: _____

70. To your knowledge, have you, or any close friend or relative, even been a subject of a surveillance (visual, photographic, or electronic) or had their car or home searched by law enforcement officers?

Yes _____ No _____

Please explain: _____

Juror No. _____

Military Experience

71. Have you ever served in the U.S. military, including the Coast Guard, Reserves, or National Guard?

Yes _____ No _____

If yes, please provide details, including (1) the approximate dates of service, (2) the branch of service in which you serve or served, (3) your highest rank attained, (4) all duty locations, (5) your job description, (6) whether you served in a combat zone, and (7) the type of discharge: _____

72. Have you ever served in the military or paramilitary (police, security services, militia, etc.) of any other nation, state, or political entity?

Yes _____ No _____

If yes, please describe: _____

73. Has anyone in your family or close to you ever served in the U.S. military, including the Coast Guard, Reserves, or National Guard?

Yes _____ No _____

If yes, please provide details, including (1) the approximate dates of service, (2) the branch of service in which they serve or served, (3) their highest rank attained, (4) all duty locations, (5) their job description, (6) whether they served in a combat zone, and (7) the type of discharge: _____

74. Do you know anyone who has been injured or killed while serving in a combat or militarized zone?

Yes _____ No _____

If yes, please explain their relationship to you and, if you can, the circumstances of their injury or death: _____

Juror No. _____

75. Have you or anyone you know worked or volunteered in a civilian or non-military government capacity anywhere in the Middle East?

Yes _____ No _____

If yes, please explain their relationship to you and, if you can, the circumstances of their volunteering: _____

76. What are your thoughts or feelings about serving as a juror on a case involving terrorism-related charges? _____

77. Have you, any member of your family, a co-worker, or a close personal friend been directly affected in any way by an act of terrorism?

Yes _____ No _____ Unsure _____

If yes or unsure, please describe: _____

78. Have you read any books or articles or seen any media (movies, cable shows, documentaries, blogs, or plays) depicting or describing the events of 9/11 or U.S. military efforts to combat terrorism?

Yes _____ No _____ Unsure _____

If yes or unsure, please describe: _____

79. Would your knowledge, experience, or opinion on the issue of terrorism, or the opinion of your family members or close personal friends on terrorism, make it difficult for you to sit on a jury in a case of this kind?

Yes _____ No _____ Unsure _____

If yes or unsure, please describe: _____

Knowledge and Opinions of Case and Parties

80. This case has received publicity in the local media. There is nothing wrong with having heard something about this case. What do you recall seeing or hearing, from any source, about this case? _____

Juror No. _____

81. Please indicate whether you have heard anything about this case, the charges, or any of the defendants in the case from any of the following sources (check as many as apply):

- Television
- Radio
- Newspaper
- Internet/online
- News magazines
- Conversations with family members
- Conversations with coworkers, friends, or neighbors
- Conversations with persons at the courthouse
- Overheard conversations in the community
- Overheard conversations at the courthouse

82. How would you describe your knowledge of this case?

- Very knowledgeable
- Somewhat knowledgeable
- Not very knowledgeable
- No knowledge at all

83. Have you seen, read, or heard about the following people facing charges in this case? Please check all that you might have heard about:

- Mohammad Amawi
- Marwan el-Hindi
- Wassim Mazloun

84. Have you read about any statements made by or attributed to Mohammad Amawi, Marwan el-Hindi, or Wassim Mazloun?

Yes No Unsure

If yes or unsure, what did you read, see, or hear that you think might be connected to this case (even if you are not sure exactly where you heard it)?

Please indicate to whom the statement was attributed: _____

Juror No. _____

85. Do you know or have you had any contact whatsoever with any of the following individuals who may be referenced in this case? Please check all that apply:

Zubair Ahmed
 Khaleel Ahmed
 Mohammed Ahmed
 Yasmeen Ahmed
 Ashraf Zaim
 Bilal Mazloun

86. Do you know any of your fellow perspective jurors?

Yes No Unsure

If yes or unsure, please describe: _____

87. This case is likely to receive ongoing media attention. The Court wants to make sure that this case is decided solely on the evidence in the courtroom and not based on things that are said outside the courtroom. Accordingly, the Court will be advising you periodically that you must avoid reading about the case in the newspapers or listening to any radio or television reports about the case. The Court will also advise you periodically that you must avoid discussing this case with friends or family during the course of the trial. Would these requirements pose any difficulty for you?

Yes No Unsure

If yes or unsure, please describe the difficulty you would have avoiding media or discussing the case with family or friends: _____

88. a. If you were chosen to serve as a juror in this case do you think that your family and friends would try to influence you with their feelings and opinions about cases involving allegations of terrorism?

Yes No

Please explain: _____

- b. If you were to serve as a juror in the case would you feel pressured or embarrassed to explain to your family and friends your vote of guilty or not guilty?

Yes No

Please explain: _____

Juror No. _____

89. Do you know any of the attorneys representing the United States government that are prosecuting this case?

- _____ David I. Miller
- _____ Gregg N. Sofer
- _____ Thomas E. Getz
- _____ Jerome J. Teresinski
- _____ Justin Herdman

90. Do you know any of the defense lawyers representing the men on trial in this case?

Attorneys for Mohammad Amawi

- _____ William W. Swor
- _____ Elias Muawad
- _____ Ed Bryan
- _____ Tim Ivey
- _____ Amy Cleary
- _____ Jonathan Witmer-Rich
- _____ Dennis Terez

Attorneys for Marwan el-Hindi

- _____ Charles M. Boss
- _____ Stephen D. Hartman
- _____ Alek H. el-Kamhawy

Attorneys for Wassim Mazloun

- _____ David L. Doughten
- _____ Jeffrey J. Helmick
- _____ Mohammed Abdrabboh

Organizations, Activities, and Interests

91. What civic, social, political, or recreational groups do you belong to or participate in, and what offices, if any, do you hold in any of these organizations? _____

92. Are you, your spouse, an immediate family member, or a close friend involved in any organized political activities?

Yes _____ No _____

Please describe: _____

Juror No. _____

93. Have you, any member of your family, or any close personal friend ever held an elected or appointed office in the federal, state, or local government?

Yes _____ No _____

If yes, please describe: _____

94. To what organizations have you donated money, even if you are not a member? _____

95. Do you consider yourself to be politically:

_____ Very conservative

_____ Conservative

_____ Moderate

_____ Liberal

_____ Very liberal

_____ Independent

96. About which of the following national issues are you most concerned?

_____ Economic conditions

_____ Health Care

_____ The Iraq situation

_____ Illegal immigration

_____ Terrorism

_____ Education

_____ Other (please specify): _____

97. Name three public figures you admire most, and please tell us why?

(1) _____

(2) _____

(3) _____

98. Name three public figures you admire least, and please tell us why?

(1) _____

(2) _____

(3) _____

99. How would your close friends and relatives describe you? _____

Juror No. _____

100. What are your favorite leisure activities, hobbies, and interests? _____

101. Have you ever received any training or taken any courses in martial arts or weapons training?

Yes _____ No _____

Please explain: _____

102. Do you read books in your spare time?

Yes _____ No _____

What type of books do you enjoy? _____

What was the last book you read? _____

103. Do you have any bumper stickers or decals on any of your family cars or trucks?

Yes _____ No _____

If yes, please tell us what they say: _____

Media

104. From what sources do you receive your news on current events?

Please list all types of sources (for example, television, newspapers, magazines, journals, radio, the Internet, etc.), and state with particularity which sources (for example, CNN, Fox News, The Toledo Blade, New York Times, Wall Street Journal, Time, Newsweek, etc.): _____

105. Which of the above is your main source of news and information? _____

106. Do you ever listen to radio talk shows or political commentators on TV or the radio, or ever visit political blog sites on the Internet?

Yes _____ No _____

If yes, which ones? _____

Juror No. _____

107. Have you ever called a radio or TV show or appeared on one to express your opinion on an issue?

Yes _____ No _____

If yes, please tell us what show and what you called about: _____

108. Do you believe that the American news media provide accurate coverage of world events?

Yes _____ No _____ Unsure _____

Please explain: _____

109. What television (broadcast or cable) shows do you watch most often?

110. Do you own a computer?

Yes _____ No _____

If yes, what do you primarily use your computer for? _____

111. Have you ever used the Internet?

Yes _____ No _____

How often? _____

If yes, what do you do on the Internet? (Check all that apply.)

_____ Email

_____ Surfing the Web

_____ Paying bills

_____ Shopping

_____ Getting news

_____ Playing games

_____ Keeping in touch with friends

_____ Other (describe): _____

112. Have you ever watched a video clip on your computer (for example, on "You Tube")?

Yes _____ No _____

Juror No. _____

113. Have you ever read a blog on the internet?

Never _____ Often _____ Every once in a while _____

If so, which ones? _____

114. Have you or any member of your family chatted or corresponded online (for example, using chat rooms, blogs, or bulletin boards) with any individual or member of a group that shared an interest with you (for example, medical issues, gardening, or other hobbies or special interests)?

Yes _____ No _____

If yes, please describe generally (but do not use personal identifiers like your screen names): _____

115. Do you think there should be any restrictions on the type of political material that can be viewed or transmitted on the Internet?

Yes _____ No _____

Please describe: _____

Language Skills

116. Do you speak any language other than English?

Yes _____ No _____

If yes, please tell us what language and rate, as best you can, your proficiency: _____

117. Do you, or anyone you know, speak, write, or understand the Arabic language (or any dialect of Arabic)?

Yes _____ No _____ Unsure _____

If yes or unsure, please explain: _____

If yes, do you read any Arabic language newspapers or publications?

Yes _____ No _____

If yes, please list the names: _____

Juror No. _____

118. Do you watch any Arabic language television stations?

Yes _____ No _____

If yes, please list: _____

119. Have you ever worked as a translator or an interpreter?

Yes _____ No _____

120. Have you or anyone you know ever had an experience in which you relied on a translator or an interpreter?

Yes _____ No _____

If yes, please tell us about that experience: _____

Religion

121. In what religion, if any, were you raised? _____

122. What is your current religious affiliation or denomination, if any? _____

123. Do you belong to or do you attend any particular church, synagogue, mosque, or other religious organization?

Yes, currently _____ Yes, in the past _____ No _____

124. About how many times per month do you attend religious services of any kind? _____

125. How important would you say your faith is in your life?

- _____ Very important
- _____ Somewhat important
- _____ Important
- _____ Not very important
- _____ Not important at all

126. Is there anything about your religious beliefs that prevents you from sitting in judgment of another person?

Yes _____ No _____

Please explain: _____

Juror No. _____

127. Is there anything about your religious beliefs that prevents you from sitting in judgment of persons of the Muslim faith (Islam)?

Yes _____ No _____

Please explain: _____

128. a. Have you ever donated time or money to any charities or organizations that provide aid to people living either inside or outside the United States?

Yes _____ No _____

b. If yes, what are the names of the organizations and charities? _____

In which countries or regions did these charities or organizations provide aid? _____

129. Have you ever experienced what you believe to be discrimination against you because of your religious beliefs, national origin, or race?

Yes _____ No _____

If yes, please explain: _____

Firearms Experience

130. Are you a member or supporter of any group that is either for or against gun control or firearm ownership (such as the National Rifle Association)?

Yes _____ No _____

If yes, please list the organizations to which you belong: _____

131. Have you ever received any type of firearm training or any training in the use of a firearm?

Yes _____ No _____

If yes, please tell us the weapons on which you trained and from whom you received the training: _____

Juror No. _____

132. Does anyone in your household currently own any firearms? (Check all that apply.)

Yes, I do _____ Yes, someone else in the household _____ No _____

If yes, please tell us how many and what types of firearms and the reasons for ownership: _____

133. Have you ever been to a shooting range?

Yes _____ No _____

If yes, how often have you gone? _____

134. Have you ever visited Cleland's Outdoor World (formerly "Cleland's Gun Shop") in Swanton, Ohio?

Yes _____ No _____

If yes, on how many occasions and for what purpose? _____

Opinions on Racial Issues

135. Is there any racial or ethnic group that you do not feel comfortable being around?

Yes _____ No _____

Please explain: _____

136. Have you ever had a bad experience with others as a result of racial or ethnic tension?

Yes _____ No _____

Please explain: _____

137. Have you ever moved out of a neighborhood or community because of racial issues?

Yes _____ No _____

Please explain: _____

Juror No. _____

Travel and Immigration

138. Have you ever traveled outside the United States (excluding trips to Canada and Mexico)?

Yes _____ No _____

If yes, please list to where you traveled, for how long you stayed, and for what purpose you took the trip: _____

139. Have you ever lived outside the United States?

Yes _____ No _____

If yes, please list where you lived, for how long you lived there, and why you lived there: _____

140. Do you know anyone who holds a dual citizenship in the U.S. and another country?

Yes _____ No _____

If yes, please tell us your relationship to the person and in what other country he or she holds citizenship: _____

141. Have you ever known anyone from another country who worked in the United States and had to have a green card or permit to continue working here?

Yes _____ No _____

If yes, please explain: _____

142. What is your opinion about people coming from other countries to the United States to attend school? _____

Juror No. _____

143. Have you ever known anyone from another country who came to the United States to attend school or college?

Yes _____ No _____

If yes, please explain: _____

144. In general, what are your feelings about people immigrating to the United States? _____

145. Please check the option below that best reflects your opinion of the following statement: "The United States is too lenient with its immigration policies."

- _____ Agree strongly
- _____ Agree somewhat
- _____ Disagree somewhat
- _____ Disagree strongly
- _____ Don't know
- _____ No opinion

146. Do you think that English should be the "official language" of this country?

Yes _____ No _____

Please explain your answer: _____

147. Do you believe that the protections of free speech should extend to both citizens and non-citizens?

Yes _____ No _____ Unsure _____

If yes or unsure, please explain: _____

148. Have you ever contributed money or volunteered your time to any organization that opposes immigration, opposes certain rights to immigrants, or proposes changes in immigration laws?

Yes _____ No _____

If yes, what organization? _____

Juror No. _____

Opinions on National Security

149. Since September 11, 2001, how do you feel about the nation's security measures to protect us from terrorism?

- _____ Very satisfied
- _____ Somewhat satisfied
- _____ Somewhat dissatisfied
- _____ Very dissatisfied
- _____ Don't know

150. How often do you worry that you or a family member will be the victim of terrorism?

- _____ Often
- _____ Occasionally
- _____ Rarely
- _____ Never

151. How concerned are you about acts of terrorism happening in your local community?

- _____ Very concerned
- _____ Somewhat concerned
- _____ Not very concerned
- _____ Not concerned at all

152. Please check the option below that best reflects your opinion of the following statement: "Of all the issues facing the United States, I believe terrorism is the most important."

- _____ Agree strongly
- _____ Agree somewhat
- _____ Disagree somewhat
- _____ Disagree strongly
- _____ Don't know
- _____ No opinion

153. Do you believe there are terrorist "sleeper cells" in the United States?

Yes _____ No _____ Unsure _____

Please explain: _____

Juror No. _____

154. On a scale of 1 to 10 (with 1 being not likely at all and 10 being very likely), do you feel that the United States is currently vulnerable to a terrorist attack from within our own borders? Please circle the number that best rates your feelings:

Not at all Very likely
1 2 3 4 5 6 7 8 9 10

155. Do you believe that defendants accused of violating federal criminal laws relating to terrorism should not be given the same rights as criminal defendants accused of violating other federal criminal laws not related to terrorism?

Yes _____ No _____

Please explain: _____

156. Which comes closer to your view:

_____ The government should take all steps necessary to prevent additional acts of terrorism in the U.S., even if it means basic civil liberties would be violated.

_____ The government should take all steps necessary to prevent additional acts of terrorism in the U.S., but not if those steps would violate basic civil liberties.

157. Have you followed any criminal cases locally or nationally?

Yes _____ No _____

If yes, please describe which cases: _____

158. Have you followed any of the criminal cases in the United States involving allegations of terrorism or the support of terrorism?

Yes _____ No _____

If yes, which cases did you follow and what was of interest to you about those cases? _____

Juror No. _____

159. Do you have an opinion of how people accused of terrorism have been treated by the U.S. court system?

Yes _____ No _____

If yes, what is it? _____

160. Have you ever visited any website produced by any media group or organization that attempts to monitor political events occurring in countries such as Iraq, Afghanistan, Pakistan, or other places in the Middle East?

Yes _____ No _____

If yes, please describe: _____

161. In the interest of national security and the prevention of terrorist attacks, do you think all adults in this country should be required to carry a national identification card?

Yes _____ No _____

Please explain: _____

162. Have you ever heard the word “jihad”?

Yes _____ No _____ Unsure _____

What do you understand “jihad” to mean? _____

Muslims/Islam

163. Do you have any personal experience or knowledge of other countries or regions in which Islam is the predominant religion?

Yes _____ No _____

If yes, please explain: _____

164. Have you ever received any training or taken any courses in Middle Eastern history, religion, Islamic law or international studies?

Yes _____ No _____

If yes, please describe: _____

Juror No. _____

165. Have you, any member of your family, or a friend had any experience which would cause you to be biased for or against a defendant in a case who is an Arab or a Muslim?

Yes _____ No _____

If yes, please explain: _____

166. Do you have any experiences or feelings about Arabs or Muslims that would make it difficult for you to listen to the evidence and decide a case with an open mind, when the case involves Arab or Muslim men charged with conspiring to kill or maim persons outside of the United States?

Yes _____ No _____ Unsure _____

Please explain: _____

167. Do you have any feelings, positive or negative, about Islam?

Yes _____ No _____ Unsure _____

Please explain: _____

168. Have you, any relative, or a friend had any dealings with any Muslim or Islamic organization?

Yes _____ No _____

If yes, please explain: _____

169. Do you know or have regular contact with any person from a Middle Eastern background?

Yes _____ No _____ Unsure _____

If so, please check all that apply:

- _____ In the family
- _____ In the neighborhood
- _____ In organizations
- _____ Through work or business
- _____ In place of worship
- _____ In school

Juror No. _____

170. Do you know any Muslims (persons who practice the faith of Islam)?

Yes _____ No _____

If yes, what is your relationship with them? _____

171. How knowledgeable are you about the history or practices of Islam?

- _____ Very knowledgeable
- _____ Somewhat knowledgeable
- _____ Not too knowledgeable
- _____ Not knowledgeable at all
- _____ Don't know
- _____ No opinion

172. Does the appearance of a person of apparent Arabic descent with a long beard or traditional dress make you uncomfortable?

Yes _____ No _____ Unsure _____

Please explain: _____

173. Do you think that because the men who planned and carried out the attack on 9/11 were Muslim that you will view the Muslim defendants in this case differently from how you would view any other defendant?

Yes _____ No _____ Unsure _____

Please explain: _____

174. Please check the option below that best reflects your opinion of the following statement: "Muslims as a group are being viewed in a negative way because of the actions of radical fundamentalists who do not represent the views of the majority of Muslims throughout the world."

- _____ Agree strongly
- _____ Agree somewhat
- _____ Disagree somewhat
- _____ Disagree strongly
- _____ Don't know
- _____ No opinion

Juror No. _____

175. As a result of the events of 9/11, do you believe young Muslim and Middle Eastern men living in the United States had any reason to feel concern for their safety and the safety of their families?

Yes _____ No _____ Unsure _____

Please explain: _____

176. Do you believe there is any prejudice against or fear of Muslims or persons of Arab descent among the people living in the various communities in or around Northwest Ohio?

Yes _____ No _____ Unsure _____

Please explain: _____

Beliefs about Civil Liberties and Legal Protections

177. Do you believe the U.S. Constitution should allow citizens and non-citizens residing in the U.S. to criticize the actions of the United States in writing, through non-violent demonstrations, or personal conversations, without restrictions?

Yes _____ No _____

Please explain: _____

178. Can a person criticize the United States government and still be patriotic?

Yes _____ No _____ Unsure _____

Please explain: _____

Legal Principles

179. An indictment is a document that merely describes the charges with which a defendant is accused. This means that the indictment may not be considered as any evidence whatsoever of any defendant's guilt.

Do you agree or disagree with this rule of law?

Agree _____ Disagree _____

If you disagree, please explain: _____

Juror No. _____

180. The defendants, Mohammad Amawi, Marwan el-Hindi, and Wassim Mazloum are presumed innocent and cannot be found guilty of any offense unless the jury, unanimously and based solely on the evidence presented in court, decides that the government has proved each element of each offense charged against each individual beyond a reasonable doubt. The burden of proving guilt beyond a reasonable doubt rests entirely with the government. The defendants are not required to prove their innocence.

Do you agree or disagree with this rule of law?

Agree _____ Disagree _____

If you disagree, please explain: _____

181. The law does not require the government to prove any essential element of the charged crimes beyond all doubt, or by some other standard higher than beyond a reasonable doubt. Do you believe that the government should be required to meet a standard of proof higher than “beyond a reasonable doubt”?

Yes _____ No _____

Please explain: _____

182. If the government proves a defendant guilty of each essential element of one or more of the offenses charged by proof beyond a reasonable doubt, would you be able to return a verdict of guilty?

Yes _____ No _____

Please explain: _____

183. The law requires that you put aside any sympathy that you might feel toward any of the defendants and decide this case solely on the evidence admitted at trial and the legal instructions provided by the Court. Would you be able to do this?

Yes _____ No _____

Please explain: _____

Juror No. _____

184. The Court will instruct you that you are not to take into account any possible punishment or sentence in your deliberations as a juror. Can you deliberate regarding the evidence in this case without knowing what sentence the defendants face if found guilty of one or more of the offenses charged?

Yes _____ No _____

Please explain: _____

185. The law requires that each of the defendants be given separate consideration and the case against each must be decided individually and solely on the evidence presented in court. Do you feel that, for whatever reason, you would not be able to consider each defendant individually?

Yes _____ No _____ Unsure _____

Please explain: _____

186. Under the law, a person accused of a crime does not have to testify in his or her defense. The defendants have the absolute right to not testify, and their silence may not be used against them.

Do you agree or disagree with this rule of law?

Agree _____ Disagree _____

If you disagree, please explain: _____

Final Questions

187. During your introduction to the parties and lawyers today, you were read a list of names of possible witnesses. Do you believe you may know any of those witnesses?

Yes _____ No _____ Unsure _____

If yes or unsure, please describe who you believe you know and how you know them: _____

188. If during trial you learned you did know a witness, would you be willing to notify the Court and share the information?

Yes _____ No _____

United States v. Amawi: Jury Questionnaire

Juror No. _____

189. Do you know any other prospective juror who has been called for jury selection in this case?

Yes _____ No _____

If yes, whom do you know? _____

190. As a result of filling out this questionnaire, have you now formed an opinion about the case?

Yes _____ No _____

Please explain: _____

191. Is there anything about the subject matter of this case, or the points covered in this questionnaire, which creates a question in your mind as to whether you could be a fair, objective, and impartial juror in this particular case?

Yes _____ No _____

Please explain: _____

192. Do you have any personal reason for wanting to serve as a juror in this case?

Yes _____ No _____ Unsure _____

Please explain: _____

193. Is there any reason that you could not be fair and impartial as to each of the defendants in this case?

Yes _____ No _____ Unsure _____

Please explain: _____

194. Is there any reason that you could not be completely fair and impartial to the government in this case?

Yes _____ No _____ Unsure _____

Please explain: _____

United States v. Amawi: Jury Questionnaire

Juror No. _____

195. If your view differs from the law upon which the Court instructs you, can you put aside your view and follow the Court's instruction?

Yes _____ No _____

If no, please explain: _____

196. Is there any matter not covered by the questionnaire that you feel you should tell us about?

Yes _____ No _____

If yes, please explain: _____

United States v. Batiste: Voir Dire Questions

Hon. Joan A. Lenard
Southern District of Florida
September 18, 2007

The following voir dire questions were prepared by the Southern District of Florida's United States District Judge Joan A. Lenard for jury selection in a prosecution for terrorism, *United States v. Batiste*, No. 1:06-cr-20373 (S.D. Fla. June 22, 2006). Judge Lenard does not use jury questionnaires. These questions are designed to be asked in three phases: first are questions directed to the whole panel, second are individual general qualification questions, and third are more sensitive case-specific individual questions. The court of appeals found Judge Lenard's voir dire procedures in a previous case a meticulous model. *United States v. Campa*, 459 F.3d 1121 (11th Cir. 2006).

Phase 1: Questions for the Whole Panel

1. Are you familiar with the area of N.W. 62nd Street and N.W. 15th Avenue?
2. Have you or a member of your family or close friend had either a positive or negative experience with law enforcement of any kind that would make it difficult for you to listen to the evidence in this case and be fair to both the government and the defendants?
3. In this case, you may hear testimony that the government used cooperating individuals, CIs or informants, to work in an undercover capacity who were paid or received other benefits. Is there any member of the jury panel who has such strong feelings one way or the other about the use of such cooperating individuals such that you would not be able to sit and listen to this evidence and be fair to both the government and the defendants?
4. The evidence in this case may also include the recordings of conversations that were recorded without the knowledge of some of the participants through the lawful use of electronic devices commonly known as bugs or wiretaps. Is there any member of the jury panel who has such strong feelings one way or the other regarding the use of bugs or wiretaps such that you would not be able to sit and listen to this evidence and be fair to both the government and the defendants?
5. In this case, you may hear evidence of the recordings of conversations that were recorded without the knowledge of all of the participants through the use of a body wire, by secretly taping telephone conversations, or by secretly recorded videotapes. Is there any member of the jury panel who has such strong feelings one way or the other that you would not be able to sit and listen to this evidence and be fair to both the government and the defendants?
6. In this case, you may hear evidence that was obtained from photographic and physical surveillance as well as evidence seized pursuant to lawful searches

of various places including the homes of some of the defendants. Is there any member of the jury panel who has such strong feelings one way or the other that you would not be able to sit and listen to this evidence and be fair to both the government and the defendants?

7. Is there any member of the jury panel who would not be able to listen to the testimony of a law enforcement officer and be fair to both the prosecution and the defendants? Or . . . be more likely or less likely to believe the testimony of a law enforcement officer solely because of the officer's position?
8. Does everyone understand that any person charged with a crime is presumed innocent?
9. Do you all understand that the indictment in a criminal case is the accusatory paper which states the charge or charges to be determined at the trial; it is not evidence against the defendant or anyone else?
10. Do you all understand that the government has the burden of proving a defendant guilty beyond a reasonable doubt?
11. Is there anyone who would hold the government to a higher or lower burden of proof?
12. Do you all understand that the case of each defendant and the evidence pertaining to each defendant should be considered separately and individually by the jury?
13. If you are chosen as a juror in this case—if the government proves its case against a defendant beyond a reasonable doubt, would you be able to return a verdict of guilty? Likewise, if the government fails to prove its case against the defendant beyond a reasonable doubt, would you be able to return a verdict of not guilty?
14. Is there any member of the jury panel who feels that if the government goes to the trouble of bringing someone to trial, then the person is probably guilty?
15. Is there any member of the jury panel who feels that a defendant in a criminal case should testify or produce some evidence to prove that he or she is not guilty?
16. Is there any member of the jury panel who feels that the law does too much to protect the rights of the accused and not enough to protect the rights of crime victims and their families, such that it would affect your ability to be a fair and impartial juror in this case?
17. Is there any member of the jury panel who feels that individuals are treated differently by the criminal justice system based on their race, creed, or national origin?
18. Is there any member of the jury panel who you yourself or your spouse or family member has ever been audited or had a dispute with any agency or department of the U.S. government?

United States v. Batiste: Voir Dire Questions

19. Is there a member of the jury panel who thinks the government has gone overboard in its efforts to fight terrorism?
20. Is there any member of the jury panel who has any experience or formal training in the area of martial arts?
21. Is there any member of the jury panel who you yourself or someone in your home owns a firearm? How many and what kind?
22. Is there any member of the jury panel who knows any other member of the jury panel?
23. In this case, you may hear testimony from witnesses who are of a different religion from your own. Is there any member of the jury panel who has strong feelings one way or the other such that you would not be able to sit and listen to this evidence and be fair to both the government and the defendants?
24. In this case, you may also hear evidence from certain witnesses who are from the Middle East. Is there any member of the jury panel who has strong feelings one way or the other such that you would not be able to sit and listen to this evidence and be fair to both the government and the defendants?
25. This case may receive media attention. It is very important that this case is decided solely on the evidence presented in the courtroom and not based on anything that may be said outside the courtroom. Accordingly, you will be instructed if you are chosen as a juror that you must avoid reading about the case in newspapers or listening to any radio or television reports or viewing the Internet. Will you be able to follow my instructions regarding media coverage?

Phase 2: Individual Qualification Questions

1. How old are you?
2. What is your place of birth?
3. Where were your parents born?
4. What type of work do you do (without stating the name of the business, corporation, store, or the like)?
5. What is your general area of residence (i.e., Cutler Ridge, North Miami, etc.)? What is your length of time in that community? (If less than 5 years at your current residence, please indicate your prior town or community.)
6. Do you own your current residence or do you rent your current residence? Are you living with family or friends?
7. Have you ever lived outside the United States for more than 6 months? What countries and for how long?
8. What is your marital status (married, single, divorced)?

United States v. Batiste: Voir Dire Questions

9. If you live with someone else, what is that person's occupation (without stating where they work, the name of the business, corporation, store, or the like)?
10. What are the ages of your children, if any? If employed, what type of work do they do (without stating where they work)?
11. Do you have any children that live outside the United States?
12. Do you speak, write, or understand a language other than English? What language?
13. Do you have any hobbies? What do you do in your spare time?
14. What was the last grade you completed in school? (If you have a degree or certificate, what was your major area of study?)
15. Have you attended law school or a paralegal institute?
16. What are your major sources of news, if any: the newspaper, television, radio, or the Internet?
17. Are any of your family members or close friends employed in the criminal justice system (i.e., law enforcement officers, probation officers, criminal defense lawyers, private investigators)?
18. Have you, your spouse, or a family member ever worked for (answer yes or no for each):
 - a prosecutor's office?
 - a public defender's office?
 - a federal or state investigative agency?
 - a federal agency or a medical facility?
19. Do you have any advanced knowledge or special training in the field of videotaping or digital recording?
20. Do you or your spouse have any education, training, or employment experience in any of the following fields?
 - security
 - intelligence
 - law
 - psychology or psychiatry
 - social work
 - corrections
 - religion
 - media or Communications
21. Are you a vendor or a contractor for the United States Government or is your employer a vendor or a contractor for the United States Government?
22. Have you, your spouse, or a family member ever applied or sought employment in law enforcement (yes or no)? (If yes, what happened with the application?)

23. Have you ever been a victim of a crime?
 - A. Was it reported? Was anyone arrested? What happened with the case?
 - B. Are you generally satisfied or dissatisfied with the way you were treated by law enforcement officials and the justice system?
24. Have you ever been a witness to a crime?
 - A. Was it reported? Was anyone arrested? What happened with the case?
 - B. Are you generally satisfied or dissatisfied with the way you were treated by law enforcement and the judicial system?
25. Have you ever testified in a trial or deposition?
26. Have you ever been accused of, charged with, or convicted of any crime or been the subject of a criminal investigation, other than a minor traffic violation?
27. Has a family member or close friend ever been accused of, charged with, or convicted of any crime or been the subject of a criminal investigation, other than a minor traffic violation?
28. Do you belong to a church, synagogue, or other religious organization and follow its teachings (yes or no only)?
29. Would any of your religious, philosophic, or moral beliefs preclude you from sitting in judgment of another person or deliberating with others?
30. Have you previously served on a petit (trial) jury? If yes, was it in federal or state court? Was it a criminal or a civil trial? Did the jury reach a verdict? Did you serve as the foreperson?
31. Have you previously served on a grand jury? If yes, was it in federal or state court? Did you serve as the foreperson?
32. Do you have any loss of hearing, loss of sight, or any physical or emotional impairment that would make it difficult for you to participate as a juror?
33. Do you have any problems understanding or reading the English language which would make jury duty difficult?
34. Are you currently taking any medication or other substance that would have an impact on your jury service?
35. Do you own or regularly use a computer or access the Internet?

Phase 3: Case-Specific Individual Questions

1. In this case, the government has alleged that the defendants were engaged in conspiracies to commit various violations of federal laws regarding terrorist activities.

The charges include conspiracies or agreements to provide material support and resources to agents of al-Qaeda in conspiring to blow up the Sears

Tower in Chicago and several federal buildings in a planned war against the United States.

Given that, is there anything that would prevent you from being able to sit and listen to the evidence in this case and be fair to both the government and the defendants?

2. As I indicated to you earlier, due to the publicity surrounding this case and to prevent any outside influence from the public, I have determined that there will be an anonymous jury, whereby your name, address, place of employment and any other identifying information will be withheld from the public and the parties in this case. Do you have such strong feelings about these procedures that you would not be able to be fair and impartial to both the government and the defendants?
3. As I indicated to you earlier, due to the publicity surrounding this case and to prevent any outside influence from the public, I have determined that the U.S. Marshal will provide transportation to and from the courthouse for the jurors during the trial. Do you have such strong feelings about this provided transportation that you would not be able to be fair and impartial to both the government and the defendants?
4. I will instruct you in this case that each defendant has entered a plea of not guilty and under the law is presumed innocent. Given the procedures regarding the anonymous jury and provided transportation, will you be able to follow the Court's instruction on the law?
5. In this case, you may hear evidence that the government used informants who were not United States citizens and who posed as terrorist-agents of al-Qaeda.
Do you have such strong feelings one way or the other that you would not be able to sit and listen to this evidence and be fair to both the government and the defendants?
6. Have you acquired any information from newspapers, television, conversations, or any other sources about this case? From what source did you acquire this information?
7. Do you read the *Miami Herald*, *New Times*, or *Sun Sentinel* news publications either in print or on line?
8. Have you read anything in any newspaper or on the Internet, or have you seen anything on television or heard anything on the radio, about this case?
9. How closely have you followed the course of proceedings leading up to this trial?
10. Have you discussed this case with anyone? If so, with whom?
11. Do you have an open mind regarding this case?
12. Have you formed an opinion regarding any of the defendants based upon any outside information? What is your opinion?

13. Would your opinion affect your ability to determine the defendants' guilt based solely on the evidence presented at trial?
14. Do you have any beliefs, thoughts, or opinions that may cause you to decide this case on anything other than the evidence you will hear at trial? What are they?
15. Can you set those beliefs, thoughts, or opinions aside and decide this case based on the evidence that is admitted in this courtroom and the law as the Court instructs you? If yes, will you do that?
16. Are you knowledgeable about the history and practice of Islam?
17. Are you knowledgeable about the history and practices of the Moorish Science Temple?
18. Are you knowledgeable about the Universal Divine Savivors?
19. Are you a member of any type of Masonic lodge? Are you knowledgeable about the history, teachings, or practices of the Masons?
20. Have you, your spouse, or any of your family members ever visited the Middle East? If so, when was the trip? What countries did you visit? What was the purpose of your trip?
21. Do you, family members, or close friends have any prior or present military service? If yes, what was your or their place of service?
Did you or they serve in combat? Where? Were you injured or were they injured or did they suffer loss of life? Were you or they ever in the military police or shore patrol? Have you or they had any disciplinary action taken against you or them? Did you or they receive an honorable discharge? What was your or their rank at discharge?
22. Have you, any members of your family, or close friends had any personal experience with acts of terrorism?
23. Do you know or do you have a family member or friend who knows someone who was a victim of a terrorist attack?
24. Have the events of September 11th or any other terrorist act affected you to such an extent that it would make it difficult for you to sit and listen to the evidence in this case and be fair to both the government and the defendants?
25. Have you, any family member, or a close friend lost a job or a business contract or experienced any other financial hardship as a result of September 11th or any other terrorist attack?
26. Do you have an opinion as to who was responsible for the attack on the United States on September 11, 2001? If the answer is yes, who do you think was responsible?
27. A recent trial conducted in this district concerned a defendant named Jose Padilla. That case has no connection whatsoever with the case against the defendants here.

United States v. Batiste: Voir Dire Questions

Is there anything about the case of Jose Padilla that would prevent you from sitting and listening to the evidence in this case and being fair to both the government and the defendants?

28. Is there anything else you think the Court or the attorneys should know that might influence your ability to fairly and impartially judge the evidence in this case and follow the Court's instructions on the law?

United States v. Holy Land Foundation: Confidential Jury Questionnaire

Hon. A. Joe Fish
Northern District of Texas
July 16, 2007

The following questionnaire was prepared by the Northern District of Texas's United States District Judge A. Joe Fish to facilitate jury selection in a prosecution for contributing funds to terrorism, *United States v. Holy Land Foundation*, No. 3:04-cr-240 (N.D. Tex. July 26, 2004).

General Instructions

This questionnaire is designed to help simplify and expedite the jury selection process. Although some of the questions may appear to be of a personal nature, please understand that the Court and the parties must learn enough information about each juror's background and experiences to select a fair and impartial jury.

Please answer all the questions, to the best of your ability. If you have any questions, write them on the form. If you don't know the answer to a question, then write, "I don't know." There are no "right" or "wrong" answers—only truthful answers. Do not discuss the case or your answers with anyone. It is important that the answers be yours alone. Remember, you are sworn to give true and complete answers to all questions. After reading your questionnaire, Judge Fish may personally interview you in the presence of the lawyers and give you an opportunity to discuss your answers.

Do not write on the back of any page; only the front pages will be copied. If you need additional space to complete an answer, go to the blank pages at the back of the questionnaire, indicate the number of the question, and continue your answer.

Juror No. _____

Confidential Jury Questionnaire

Please write legibly.

1. What is your age? _____
2. Are you: Male _____ Female _____
3. Do you have any problems with your hearing or vision that would make it difficult for you to serve as a juror?
Yes _____ No _____

4. Do you have any medical condition that would make it difficult for you to serve as a juror on this case?
Yes _____ No _____
If yes, briefly list the condition(s):

5. Are you (check one):
Married _____ Single _____ Living with another person _____
Living with a domestic partner _____ Divorced/Separated _____
Widow/Widower _____

6. If you have any children, please list their gender and age:

7. In what city do you reside? _____
 - a. How long have you lived in this area? _____
 - b. What other places have you lived within the last 20 years? _____

8. Is English your first language?
Yes _____ No _____

Juror No. _____

9. What other languages do you speak, read, or understand?

10. Were you, your spouse, or a former spouse born outside the United States?

Yes _____ No _____

If yes, please tell us who and where they were born:

11. Do you speak, read, or understand Arabic or Hebrew (or any dialect of Arabic or Hebrew), or did you grow up in households where those languages or any of their dialects were spoken?

Yes _____ No _____

a. If you speak, read, or understand the Arabic or Hebrew language (or any of its dialects), would you have any difficulty relying solely upon a translator's translation of the evidence?

Yes _____ No _____

12. Are you:

- | | |
|---------------------------|-----------------------------------|
| _____ Employed full-time | _____ Retired |
| _____ Employed part-time | _____ Student |
| _____ Homemaker | _____ Disabled and unable to work |
| _____ Unemployed/Laid off | |

a. What kind of work do you do? _____

b. If retired or unemployed, what was your primary vocation? _____

c. If homemaker or student, please tell us what jobs outside the home (if any) you have had in the past two years: _____

Juror No. _____

13. What is the highest grade of schooling you have completed?

- | | |
|---|---|
| <input type="checkbox"/> 8th grade or less | <input type="checkbox"/> Community college |
| <input type="checkbox"/> Some high school | <input type="checkbox"/> Some four-year college |
| <input type="checkbox"/> High school graduate | <input type="checkbox"/> College graduate |
| | <input type="checkbox"/> Postgraduate |

a. Major area(s) of study: _____

b. Degrees or certificates: _____

14. What charitable, civic, social, union, professional, fraternal, political, recreational, or religious organizations do you belong to or participate in, and what offices, if any, have you held in any of these organizations? _____

15. Have you previously traveled outside of the United States?

Yes No

If yes, please describe where and approximately when:

16. Have you ever served in the military?

Yes No

a. Branch and highest rank: _____

b. Foreign stations or tours: _____

17. The judge who will preside over this case is The Honorable Joe Fish, Chief Judge of the United States District Court for the Northern District of Texas. Do you or anyone close to you know or have any connection with Judge Fish or any of his staff?

Yes No

If yes, please explain: _____

Juror No. _____

18. Do you or does any relative or close friend know or have any connection with any of the following persons who may be seated at the counsel table for the government?

Assistant United States Attorney Jim Jacks	Yes _____	No _____
Assistant United States Attorney Nathan Garrett	Yes _____	No _____
Department of Justice Attorney Barry Jonas	Yes _____	No _____
Department of Justice Attorney Betsy Shapiro	Yes _____	No _____
Special Agent Lara Burns, FBI	Yes _____	No _____
Special Agent Rob Miranda, FBI	Yes _____	No _____
Special Agent Carrie Ward, FBI	Yes _____	No _____

If you answered yes to any of the names above, describe your connection and your friend or relative's connection to this individual or these individuals:

19. Do you or does any relative or close friend know or have any connection with any of the following defense lawyers or their staff?

John Boyd	Yes _____	No _____
Nancy Hollander	Yes _____	No _____
Theresa Duncan	Yes _____	No _____
Joshua Dratel	Yes _____	No _____
Linda Moreno	Yes _____	No _____
Mario Cadeddu	Yes _____	No _____
Greg Westfall	Yes _____	No _____

If you answered yes to any of the names above, describe your connection and your friend or relative's connection to this individual or these individuals:

Juror No. _____

20. Do you or does any relative or close friend know or have any connection with any of the defendants?

Holy Land Foundation for Relief and Development	Yes _____	No _____
Shukri Abu Baker	Yes _____	No _____
Mohammad El-Mezain	Yes _____	No _____
Ghassan Elashi	Yes _____	No _____
Mufid Abdulqader	Yes _____	No _____
Abdulrahman Odeh	Yes _____	No _____
Haitham Maghawri	Yes _____	No _____
Akram Mishal	Yes _____	No _____

Please explain who has the connection in detail for each individual:

21. Have you followed any criminal cases involving allegations of terrorism or support of terrorism?

Yes _____ No _____

If yes, please list the cases and what was or is of interest to you about these cases: _____

22. This case has received previous media attention. Is there anything you have seen, heard, or read about it that would interfere with your ability to render a fair verdict in this case based solely on the evidence presented in court?

Yes _____ No _____

If yes, please explain: _____

Juror No. _____

23. This case is likely to receive media attention during the trial. The Court wants to make sure that this case is decided solely on the evidence in the courtroom and not based on things that are said outside the courtroom. Accordingly, the Court will be advising you periodically that you must avoid reading about the case in the newspapers or listening to any radio or television reports about the case, or reading anything about the case on the Internet. The Court will also advise you periodically that you must avoid discussing this case with friends or family during the course of the trial. Would these requirements pose any difficulty for you?

Yes _____ No _____

If yes, please explain: _____

24. What, if anything, have you seen, read, or heard about the following people facing charges in this case?

a. Ghassan Elashi: _____

b. Shukri Abu Baker: _____

c. Mufid Abdulqader: _____

d. Mohammed El-Mezain: _____

e. Abdul Rahman Odeh: _____

Juror No. _____

25. Have you heard or read about any statement made by or attributed to Ghas-san Elashi, Shukri Baker, Mufid Abdulqader, Mohammed El-Mezain, or Ab-dul Rahman Odeh?

Yes _____ No _____

If yes, how would you describe the statement and to whom was it attributed, if you recall? _____

26. Based on anything you may have read, seen, or heard in the media or else-where, have you formed an opinion as to the guilt or innocence of any of the defendants in this case?

Yes _____ No _____

If yes, please explain: _____

27. How closely have you followed the media coverage of the conflict between Israel and the Palestinians?

Very closely _____ Somewhat closely _____ Not too closely _____

28. Have you formed any opinion or belief about the nature of that conflict that would prevent you from serving as a fair and impartial juror in this case?

Yes _____ No _____

If yes, please explain briefly: _____

Juror No. _____

29. PRIOR JURY SERVICE

a. Have you ever

- i. Served as a juror in a civil case? Yes _____ No _____
- ii. Served on a grand jury? Yes _____ No _____
- iii. Served as a juror in a criminal case? Yes _____ No _____
- iv. Been a juror in a case where the jury was unable to reach a verdict? Yes _____ No _____

b. If you have served on a jury, please list below (1) the approximate dates, (2) whether you served in state court or federal court, (3) whether it was a grand jury or a trial jury, (4) whether it was a criminal case or a civil case, (5) what the general nature of the case was (for example, robbery, murder, contract, negligence, medical malpractice, etc.), and (6) whether or not a verdict was reached.

Date	State or Federal Trial Jury	Grand Jury	Criminal or Civil	Nature of Case	Verdict

c. Is there anything about your prior jury experience that would make it difficult to serve again?

Yes _____ No _____

If yes, please explain: _____

Juror No. _____

30. Have you or anyone close to you worked for, applied to, or had training with (check all that apply):

- _____ a. Any law enforcement, security, or investigative agency, including but not limited to police department, state police agency, sheriff's department, the FBI, DEA, Secret Service, Postal Inspection Service, CIA, BICE, INS, Department of Homeland Security, and the Department of Justice.
- _____ b. A prison, jail, detention center, or probation service.
- _____ c. Any city or town attorney, Attorney General, state or federal prosecutor, or court.
- _____ d. Any law firm that practices criminal defense.
- _____ e. Any accounting, banking, or financial institution.
- _____ f. Any newspaper, radio, television, or other media outlet.

If yes to any of the above, please state who (relation to you), where, when, and circumstances: _____

31. Have you or a member of your family had any legal action or dispute with the United States or any of its agencies, or any officer, agents, or employees of the United States?

Yes _____ No _____

If yes, please explain the nature of your interest in such proceedings: _____

32. Have you or a family member or close friend ever had an experience involving the police, FBI, or any other law enforcement agency, including being interviewed by or making a report to a law enforcement officer?

Yes _____ No _____

If yes, please explain: _____

Juror No. _____

33. Have you or a family member or a close friend ever been arrested, charged, or convicted for a crime other than a traffic ticket?

Yes _____ No _____

If yes, please explain who (relation to you), when, nature of the charge, and circumstances: _____

34. Some of the defendants are citizens of the United States and some are not. Would you afford each of the defendants the same consideration in evaluating the evidence?

Yes _____ No _____

35. Under the United States Constitution, a person accused of a crime does not have to testify in his defense, and his silence may not be used against him. Could you abide by this constitutional requirement?

Yes _____ No _____

36. The Court will instruct you that the testimony of a law enforcement officer is entitled to no greater weight or lesser weight than that of any other witness. Do you have any difficulty accepting that statement?

Yes _____ No _____

37. There may be evidence in this case consisting of tape recordings of conversations taking place over the telephone through the use of electronic devices commonly known as "wiretaps." Do you have any preconceptions of the obtaining or use of such evidence that might prevent you from considering it at trial?

Yes _____ No _____

If yes, please explain: _____

Juror No. _____

38. At the conclusion of the case, it is the Court's task and duty to charge you on the law and explain to you the elements of the crimes charged in the indictment. Do you have personal, religious, philosophical, or other beliefs as to what the law is or should be that would make it difficult for you to follow the instructions of the Court or that would make it difficult for you to sit in judgment of another?

Yes _____ No _____

If yes, please explain: _____

39. Is there anything about the nature of the charges in this case that would affect your ability to fairly evaluate the evidence regarding whether or not the government has proved the guilt of the defendants beyond a reasonable doubt?

40. Is there any matter not covered by this questionnaire that you feel you should tell us about?

Yes _____ No _____

If yes, please explain: _____

Juror No. _____

JUROR'S OATH:

I declare under penalty of perjury that the information that I have provided in this jury questionnaire, and any attachments, is true and correct. I further declare that I have completed this questionnaire without anyone's assistance.

Juror Name

Date

United States v. Sabir: Jury Questionnaire

Hon. Loretta A. Preska
Southern District of New York
April 24, 2007

The following questionnaire was prepared by the Southern District of New York's United States District Judge Loretta A. Preska to facilitate jury selection in a prosecution for agreeing to provide medical care to members of al-Qaeda, *United States v. Sabir*, No. 1:05-cr-673 (S.D.N.Y. June 27, 2005).

Jury Questionnaire

A. Instructions For Filling Out This Questionnaire

Where indicated, check the line for "Yes" or "No." Furnish answers, explanations, or details in the space provided. If you need additional space to answer any question, use the last page of the questionnaire, and state the question number. Please do not write on the back of any page.

B. Introduction

The purpose of these questions is to enable the parties and the Court to select a fair and impartial jury. These questions, and your answers to them, are in no sense evidence in the case, and you should not regard them, or any thoughts they may raise in your mind, as having any bearing on the case. The questions are not meant to embarrass you in any way, but only to elicit information necessary to permit the parties to make an informed choice of jurors for the case.

Your oath obligates you to give fair and truthful answers to these questions. It is your solemn duty to serve as a fair and impartial juror if you are able to do so, but it is equally your solemn duty not to serve if for any reason you cannot be fair and impartial. Accordingly, you must disclose to this Court any fact or belief that might prevent you from serving as a fair and impartial juror here.

This is a criminal case, which means that the defendant is punishable under the laws of the United States if the jury finds him guilty beyond a reasonable doubt of the crimes charged. The defendant has no burden to prove that he is not guilty. Rather, it is the Government's burden to establish the defendant's guilt beyond a reasonable doubt. I will instruct the jury on what this burden of proof means after the evidence is presented.

The charge against the defendant is set forth in an indictment. An indictment is merely an accusation, a statement of what the Government intends to prove. It is not evidence against the defendant, and no inference may be drawn against him from its existence. The defendant has pleaded not guilty to the indictment—that is, he has denied the charges made by the Government. The accusations, and the

denial by the defendant of those accusations, raise issues of fact that must be decided by a jury on the basis of evidence presented in court.

The only evidence which you may consider as bearing on the defendant's guilt is the evidence received in the trial, which will consist of the testimony of witnesses under oath, the exhibits that the Court receives in evidence, and any stipulations that the parties may enter into. The Court has no knowledge of the facts of this case, and nothing in this questionnaire constitutes evidence. However, the following is a brief summary of the accusations of the indictment, so that you will understand the reasons for certain questions that will be put to you.

The defendant in this case is Rafiq Sabir. He is charged in an indictment containing two counts or charges. The first count charges the defendant with conspiring with others to provide material support or resources to the al-Qaeda terrorist organization, in the form of personnel, training, and expert advice or assistance. The indictment alleges that defendant Sabir conspired with another individual, Tarik Shah, to provide martial arts training and medical services to al-Qaeda. The second count charges the defendant with actually providing, or attempting to provide, material support or resources to al-Qaeda in those same forms.

1. Do you feel that you could not view fairly and impartially a case involving such charges or that the actions involved in such charges should not be a crime?

_____ Yes _____ No

If yes, please explain: _____

C. Preliminary Questions

2. Do you have any problem with hearing or vision or any other problem which would prevent you from giving full attention to all of the evidence of this trial?

_____ Yes _____ No

If yes, please explain: _____

3. Are you taking any medication or receiving any medical treatment that would make it difficult for you to give full attention to the evidence at this trial?

_____ Yes _____ No

If yes, please explain: _____

4. Do you have any difficulty reading or understanding English?

_____ Yes _____ No

If yes, please explain: _____

D. Case Information

5. The Court and the parties estimate this case will last approximately three weeks, although one can never be precise as to how long a trial will take. We expect that the jury will be sitting four days per week (Monday through Thursday), but may sit on Fridays as well if deemed necessary by the Court. The Court recognizes that jury service places a burden on those jurors called to serve. Nonetheless, the right to a jury trial is an important constitutional right that requires the Court to call upon citizens such as yourselves to make some personal sacrifice. Bearing in mind the importance of a trial by jury, and that mere inconvenience or the usual financial hardships of jury service will be insufficient to excuse a prospective juror, do you have reasons why you feel that jury service for such a period of time would pose a particularly severe burden requiring that you be excused from consideration?

_____ Yes _____ No

If yes, briefly explain the hardship: _____

United States v. Sabir: Jury Questionnaire

6. Do you or does any relative or close friend of yours know or have any connection with any of the following persons representing or assisting the Government in this case?

Assistant United States Attorney Jennifer G. Rodgers
Assistant United States Attorney Karl Metzner
Assistant United States Attorney Victor L. Hou
Special Agent Brian Murphy
Paralegal Specialist Jenna Kidney

_____ Yes _____ No

If yes, please explain: _____

7. Do you or does any relative or close friend of yours know or have any connection with any of the following persons representing or assisting the defendant in this case?

Edward D. Wilford
Natalie Todd

_____ Yes _____ No

If yes, please explain: _____

8. Do you or does any relative or close friend of yours know or have any connection with the defendant, Rafiq Sabir?

_____ Yes _____ No

If yes, please explain: _____

9. Have you seen, heard, or read anything about the defendant or about this case, or about the charges in the indictment? This includes not only through the media but anything you may have heard from friends, relatives, or co-workers.

_____ Yes _____ No

If yes, what have you seen, heard, or read? _____

10. Do you or any relative or close friend of yours know or have any connection with any of the individuals listed on "Attachment A" (at the end of the questionnaire) who may be witnesses or who may be mentioned at trial?

_____ Yes _____ No

If yes, please list the individual's name here and explain the connection. (If you need extra space, use the "Explanation Sheet" at the end of this questionnaire.) _____

11. The indictment also includes charges filed against another person, but only defendant Sabir is on trial today. You may not draw any inference, favorable or unfavorable, toward the Government or the defendant on trial, from the fact that the other individual named in the indictment is not also on trial here. You also may not speculate as to the reason why that other person is not on trial. Would you have any difficulty following this instruction?

_____ Yes _____ No

If yes, please explain: _____

12. Do you have any bias or prejudice for or against the Government in a criminal case?

_____ Yes _____ No

If yes, please explain: _____

13. Do you have any bias or strong feeling for or against the United States Government, the United States Attorney's Office, any federal or state law enforcement agency, or people who work in law enforcement?

_____ Yes _____ No

If yes, please explain: _____

14. During this trial, you will hear evidence in the form of tape recordings of conversations with a member of the charged conspiracy. These recordings were made without the knowledge of the alleged conspirator but with the consent and agreement of at least one other party to the conversation. The use of this procedure to gather evidence is perfectly lawful, and the Government is entitled to use the tape recordings in this case. Do you have any feelings about the use of consensual recordings that would make it difficult for you to render a fair and impartial verdict?

_____ Yes _____ No

If yes, please explain: _____

15. You will also hear evidence in this case resulting from the use of a court-authorized wiretap by the FBI. I instruct you now that the Court has determined that the use of wiretaps in this case was lawful and did not violate the rights of the defendant. Moreover, wiretaps often are necessary law enforcement tools. Do you have any general feeling about the Government's use of a wiretap that would make it difficult for you to render a wholly fair and impartial verdict? Would you have any bias for or against the Government because of evidence obtained in this manner?

_____ Yes _____ No

If yes, please explain: _____

16. You will hear testimony in this case from a federal law enforcement officer who participated in the investigation of the offenses described in the indictment in an undercover capacity. I advise you that the use of undercover agents is legal and often a necessary law enforcement tool. Do you have any general feeling about the Government's use of undercover agents that would make it difficult for you to render a wholly fair and impartial verdict? Would you have any bias for or against the Government because of evidence presented in this manner?

_____ Yes _____ No

If yes, please explain: _____

17. You will hear testimony during this trial concerning the use of a confidential informant during the investigation of the case. I want to advise you that the use of informants in the context of this case is perfectly legal and is often a necessary law enforcement tool. Do you have any general feelings about the Government's use of informants that would make it difficult for you to render a wholly fair and impartial verdict? Would you have a bias for or against the Government because of the use of evidence obtained from informants?

_____ Yes _____ No

If yes, please explain: _____

18. Some of the evidence in this trial may also come from searches by law enforcement officers. I instruct you now that the Court has determined that none of the searches in this case violated the rights of the defendant. In other words, it is proper for the evidence from these searches to be introduced at trial for your consideration. With that in mind, do you have any feelings about searches conducted by law enforcement officers that would make it difficult for you to consider such evidence fairly and impartially as you would any other evidence?

_____ Yes _____ No

If yes, please explain: _____

19. You may hear testimony in this case concerning the use of visual or physical surveillances conducted by law enforcement officers. I instruct you that this investigative technique in the context of this case was legal and is often a necessary law enforcement tool. Do you have any feelings about the use of visual or physical surveillance that would make it difficult for you to render a fair and impartial verdict?

_____ Yes _____ No

If yes, please explain: _____

E. Personal and Family Information

20. Your age: _____

21. Your gender: _____ Female _____ Male

22. Address information:

a. County in which you live:

b. Town, area, or neighborhood in which you live:

c. Number of years there: _____

d. Do you live in a single family home, an apartment, a cooperative, or a condominium?

23. Your present marital status:

_____ Married _____ Single (never married)

_____ Widowed _____ Separated or Divorced

24. a. Do you have children?

_____ Yes _____ No

b. If yes, state the age of each child:

c. Are you the primary caretaker of your child or children?

25. What is the highest grade that you completed in school? Circle the appropriate answer:

1-7 8 9 10 11 12

College: 1 yr. 2 yrs. 3 yrs. 4 yrs.

Vocational or Technical School: 1 yr. 2 yrs. 3 yrs. 4 yrs.

Graduate or Professional School—Specify: _____

26. If you continued your education beyond high school, what was your major area of study? If more than one, please list all.

27. Do you work outside the home?

_____ Yes _____ No

If yes, how are you employed? (If now retired, please describe the work from which you have retired. If presently unemployed, please describe your last employment or your vocation.)

28. If you are married or cohabitating, does your spouse or partner work outside the home?

_____ Yes _____ No _____ Not Applicable

If yes, how is your spouse or partner employed? (If now retired, please describe the work from which your spouse or partner has retired.)

29. Are you a lawyer?

_____ Yes _____ No

If yes, state the general areas of law (*e.g.*, criminal or civil, litigation or corporate, etc.) that you have had experience practicing and roughly how long you have practiced in each area.

If no, have you had any legal or paralegal training?

_____ Yes _____ No

If yes, please explain: _____

Do you have any relatives or close friends who are lawyers or who have legal training?

_____ Yes _____ No

If yes, state the general areas of law (*e.g.*, criminal or civil, litigation or corporate, etc.) in which your relatives or close friends have had experience practicing and roughly how long each has practiced in each area.

30. Have you or any relative or close friend ever had dealings with the United States Attorney's office?

_____ Yes _____ No

If yes, please explain: _____

31. Have you, any member of your family, or any close friend ever been charged with any crime, or been the subject of investigation or accusation by any governmental body?

_____ Yes _____ No

If yes, please explain: _____

32. Are you, any member of your family, or any close friend now under subpoena, or about to be, in any criminal case or investigation?

_____ Yes _____ No

If yes, please explain: _____

33. Have you, any member of your family, or any close friend ever been questioned in any matter by the United States Department of Justice, the Federal Bureau of Investigation, a District Attorney's Office, the New York State or City Police, or any other investigative or law enforcement agency?

_____ Yes _____ No

If yes, please explain: _____

34. Have you, any member of your family, or any close friend ever been a party, appeared as a witness, or otherwise been involved in any trial or court proceeding, or any investigation by a federal or state grand jury or by a congressional or state legislative committee, licensing authority, or governmental agency?

_____ Yes _____ No

If yes, please explain: _____

United States v. Sabir: Jury Questionnaire

35. Have you or your business, any member of your family, or any close friend ever been a party to or had an interest in the outcome of an investigation, or a legal dispute with the United States, or any agency of the United States, including the IRS?

_____ Yes _____ No

If yes, please explain: _____

36. Have you, any member of your family, or any close friend ever been a victim of a crime, or appeared as a witness or a complainant in any criminal case or investigation, under state or federal law?

_____ Yes _____ No

If yes, please explain: _____

United States v. Sabir: Jury Questionnaire

37. Have you, or has any member of your family or a close friend, ever been employed by or received training by any local, state, or federal law enforcement agency, including but not limited to the following? (Circle as many as apply for each category.)

	Self	Relative	Close Friend
Federal Bureau of Investigation	X	X	X
U.S. Attorney	X	X	X
Bureau of Alcohol, Tobacco, Firearms & Explosives	X	X	X
U.S. Citizenship and Immigration Services, and Bureau of Immigration and Customs Enforcement (formerly known as Immigration and Naturalization Services)	X	X	X
Department of Homeland Security	X	X	X
Drug Enforcement Administration	X	X	X
Military Police	X	X	X
Department of Corrections	X	X	X
State Troopers	X	X	X
Office of District Attorney	X	X	X
United States Marshals Service	X	X	X
New York City Police Department	X	X	X
U.S. Bureau of Prisons	X	X	X
Department of Probation and Parole	X	X	X
Other: _____	X	X	X

38. Have you or any member of your immediate family ever served in the military (including the National Guard and the military reserves)?

_____ Yes _____ No

Please describe the nature of any such military service by you or any member of your immediate family, including the dates of service, branch of the military, rank, and duties.

39. What civic, social, union, professional, fraternal, political, recreational, or religious organizations have you belonged to or participated in? Please indicate if you've held an office in any of those groups.

40. Do you know anyone who presently resides in the Middle East?

_____ Yes _____ No

If yes, please explain: _____

41. Have you, or has a family member or friend, been the victim of terrorism, either in this country or abroad?

_____ Yes _____ No

If yes, please explain: _____

42. Have you ever experienced what you believed to be discrimination against you because of your religious beliefs, national origin, race, or other factors?

_____ Yes _____ No

If yes, please explain: _____

United States v. Sabir: Jury Questionnaire

43. Please rate your knowledge of Islam on a scale of 1 through 5, where 5 = very knowledgeable about the faith of Islam and 1 = no knowledge of Islam.

Choose a number: _____

44. Is there anything about a case in which the defendant is Muslim that would make it hard for you to serve fairly and impartially as a juror?

_____ Yes _____ No

If yes, please explain: _____

45. What are your primary sources of local and national news?

46. Do you ever listen to political commentators on TV or “talk radio”?

_____ Yes _____ No

If yes, what stations and shows do you listen to? _____

47. What television programs, if any, do you watch regularly?

48. Have you ever served as a juror?

_____ Yes _____ No

If yes, please complete as appropriate:

_____ Civil Date(s): _____

Nature of case(s): _____

Federal or state case(s): _____

Was the jury asked to reach a verdict?

_____ Yes _____ No

If so, was a verdict reached?

_____ Yes _____ No

_____ Criminal Date(s): _____

Nature of case(s): _____

Federal or state case(s): _____

Was the jury asked to reach a verdict?

_____ Yes _____ No

If so, was a verdict reached?

_____ Yes _____ No

_____ Grand Jury Date(s): _____

Nature of case(s): _____

Federal or state case(s): _____

If yes, was there anything about your jury experience that would make it difficult to serve again fairly and impartially?

_____ Yes _____ No

If yes, please explain: _____

49. Do you speak Arabic (or any dialect of Arabic)?

_____ Yes _____ No

If yes, please explain how and where you learned the language.

50. Have you worked in or traveled in Saudi Arabia?

_____ Yes _____ No

If yes, please explain how long you were there and the reason for your visit.

51. The witnesses in this case will include law enforcement personnel. Would you be inclined to believe a witness either more or less solely by reason of the witness being a federal agent or a police or law enforcement officer?

_____ Yes _____ No

If yes, please explain: _____

52. The United States has the burden of proving its case beyond a reasonable doubt. This burden never shifts to the defendant. He is presumed innocent and cannot be convicted unless the jury, unanimously and based solely on the evidence presented in court, decides that his guilt has been proved beyond a reasonable doubt. Would you have any difficulty following this rule where the allegations against the defendant include material support of terrorism?

_____ Yes _____ No

If yes, please explain: _____

53. Under our system of law, the facts are for the jury to determine and the law is for the Court. These two areas are separate and distinct. At the end of the case the Court will instruct you on the law. You are required to accept the law as the Court explains it to you. It will be your job to determine the facts under the Court's explanation of the law. Would you be willing and able to apply the law as the Court explains it to you?

_____ Yes _____ No

If yes, please explain: _____

54. The law provides that only the evidence produced here in court may be considered by you to determine the guilt or innocence of the defendant. Would you accept and follow that law?

_____ Yes _____ No

If yes, please explain: _____

55. It is not a particularly pleasant duty to find another individual guilty of committing a crime. Do you feel that, even if the evidence established the defendant's guilt beyond a reasonable doubt, you might not be able to render a guilty verdict for reasons unrelated to the law and the evidence?

_____ Yes _____ No

If yes, please explain: _____

56. Do you have any religious, philosophical, or other beliefs that might make you unable to render a guilty verdict even if the evidence established the defendant's guilt beyond a reasonable doubt for reasons unrelated to the law and the evidence?

_____ Yes _____ No

If yes, please explain: _____

57. Will you accept the proposition of law that the question of punishment is for the Court alone to decide and that possible punishment must not enter into the deliberation of the jurors as to the guilt or innocence of the defendant?

_____ Yes _____ No

If yes, please explain: _____

58. A defendant is not required to call any witnesses, produce any evidence, or take the stand. If the defendant elects not to take the stand, you may draw no unfavorable inferences of any kind from the fact that he has not done so. That may not enter into your decision in any way. Will you accept and follow that instruction?

_____ Yes _____ No

If yes, please explain: _____

59. This questionnaire has tried to direct your attention to possible reasons why you might not be able to sit as a fair and impartial juror. Apart from any prior question, is there any fact, circumstance, opinion, impression, attitude of mind, personal or other experience, or identification or membership with any group or organization that would prevent you, if you are accepted as a juror in the trial of this case, from listening to the evidence with an open mind and deciding every issue fairly and impartially, solely and only upon the evidence as heard from the witnesses and the Court's instructions as to the law?

_____ Yes _____ No

If yes, please explain: _____

Attachment A

Taisha Abdel Aziz	Evan Kohlmann
Mustafa AlMutazzim	Cyclin Lewis
Special Agent Manuel Aponte-Davilla	Special Agent Maria Lompart
Joy Belnavis	Daniel McBride
Terence Bland, a/k/a "Siddique"	Yahya Muhammad, a/k/a "Carl Taylor," a/k/a "Abu Ubaidayh"
Mahmud Faruq Brent, a/k/a Mahmud AlMutazzim	Hassan Abdel Mumin
Kevin Brown, a/k/a "Yasin"	Joyce Muschette
Seifullah Chapman	Ibrahim Najm
Dr. Jean DeLaMothe	Samuel Nelson, a/k/a "Umar"
Ronald Drayton	Mario Novak
Ibrahim Dremali	Dr. Comenius Palaganos
Faheem Abdur Elrazzaaq	Bilal Phillips
Joseph Enright	Special Agent Ryan Plunkett
Abdulrahman Farhane	Anthony Richardson
Special Agent Robert Fuller	Special Agent Trenton Schmatz
Wesley Grant	Tarik Shah
Special Agent Affell Grier, Jr.	Zakkiyah Shah
Paul Hamilton	Hassan Sharif
Nehemiah Head, a/k/a "Khalil"	Ali Soufan
Dr. Hope Hill	Ali Al-Timimi
Dr. Samuel Jackson	James Abdullah Wajid
Dr. Faroque Khan	Detective John White
Clifton Kearney, a/k/a "Anwar Kearney"	Mohammed Yacoubi
	Michael Yetter

United States v. Moussaoui: Preliminary Venire Instructions

Hon. Leonie M. Brinkema
Eastern District of Virginia
February 6, 2006

The following text was prepared by the Eastern District of Virginia's United States District Judge Leonie M. Brinkema to address prospective jurors selected for the penalty phase of a capital prosecution for conspiracy with perpetrators of the September 11, 2001, attacks on New York and Washington, in *United States v. Moussaoui*, No. 1:01-cr-455 (E.D. Va. Dec. 11, 2001). The defendant pleaded guilty.

Opening Instructions to the Prospective Jurors

Ladies and gentlemen, thank you for appearing this morning (afternoon). You have been summoned here to be considered for jury duty in the case of *United States of America v. Zacarias Moussaoui*, a/k/a "Shaqil," a/k/a "Abu Khalid al Sahrawi," who on April 22, 2005, pleaded guilty to three conspiracies at issue in this trial:

(1) conspiracy to commit acts of terrorism transcending national boundaries; (2) conspiracy to destroy aircraft; and (3) conspiracy to use weapons of mass destruction in connection with the September 11, 2001, attacks in New York and Northern Virginia and the hijacking of four aircraft and their crashes in New York, Pennsylvania, and Virginia. Each of these convictions exposes him to a possible sentence of death.

It will be the duty of the jury whose selection begins today to decide whether Mr. Moussaoui should be sentenced to death or be sentenced to life imprisonment without possibility of release. Based on Mr. Moussaoui's guilty pleas, there are no other sentences possible for those three conspiracies. Obviously, deciding whether to recommend a sentence of death is the most serious decision that a jury is ever called upon to make in a legal system. The gravity of this decision is reflected in the multi-step process set out in the Federal Death Penalty Statute.

Just because a person is guilty of a capital crime, that is a crime for which death is a possible penalty, does not mean that person should be sentenced to death. Instead, the jury must make specific factual findings about the defendant and what he specifically did in order to impose a death penalty. In this case, the first finding is whether the defendant's specific intentional conduct makes him death eligible. More precisely, the jury will be asked to decide whether the defendant intentionally participated in an act, which the government argues was his lying to agents after his arrest on August 16, 2001, which directly resulted in the deaths that occurred during the airplane hijackings and crashes on September 11, 2001.

If the jury were to find that Mr. Moussaoui did intentionally do such an act and that those deaths were a direct result of that act, the second phase of the trial would involve the presentation and consideration of evidence of aggravating and

mitigating factors and the question of whether Mr. Moussaoui should be sentenced either to life imprisonment without the possibility of release or death. Aggravating factors are facts about the defendant or the crime that the government believes favor the death penalty. Aggravating factors are of two types: statutory reasons, which are set forth in the death penalty statute, and non-statutory, other reasons, which are drafted by the government. Mitigating factors are facts about the circumstances of the crime or the defendant's role in it, or about his background or character, that the defense believes favor a sentence of life imprisonment without possibility of release.

In determining the appropriate punishment, each juror will have to consider the aggravating factors that had been proved beyond a reasonable doubt and any mitigating factors that the juror believes exist before making a determination as to the appropriate punishment. The jury itself does not actually impose the final sentence. That will be the Court's responsibility, but it must impose the sentence found appropriate by the jury.

This is only an overview of the law applicable to the jury's consideration of the death penalty. The jury will receive much more detailed instructions from the Court during the course of the proceedings.

Because this case will involve evidence about al-Qaeda and the September 11 attacks on the World Trade Center and the Pentagon, the case has received a great deal of publicity over the past few years. I assume every one of you is aware of what happened on September 11, has watched or read extensive media coverage about that day, and has watched news reports or read about al-Qaeda. And I expect many if not all of you have heard or read something about this case and the defendant. Such media exposure does not necessarily disqualify you from being eligible to serve on the jury, but it is obviously an issue we need to probe carefully. The problem with pretrial exposure to information about a defendant or issues in a case is simply this: Persons on trial must be judged not on the basis of what is in the news or popular media, but rather on the hard evidence presented in the courtroom during the trial.

If the pretrial publicity to which you have been exposed has caused you to form such strong opinions about the defendant or issues in the case that you think you might not be able to put those opinions aside entirely and listen to and evaluate the trial evidence with an open mind, then you must so advise the Court on the Jury Questionnaire that I will soon describe.

Similarly, the death penalty is a very controversial issue about which many Americans hold strong views. Simply having thought about or listened to or read about the death penalty will not disqualify you from being a juror in this case unless your views are so firmly set as to make it difficult for you to evaluate this case on the evidence presented during the trial and apply the law given to you by the Court, even if you disagree with that law.

To help the lawyers and the Court select a jury that can objectively listen to the evidence and decide the case solely on the basis of the evidence produced in this courtroom during the trial and within the law as the Court explains it, we have prepared a Jury Questionnaire, which you will be asked to fill out. Your totally candid answers to the questions in the questionnaire are essential to the government and Mr. Moussaoui's receiving a fair sentencing hearing. To ensure

that you feel comfortable answering these questions honestly, I have determined that your identities will not be revealed to any trial participant or to the public. In other words, you will be an anonymous juror. Only limited members of the court staff know your names. That is why you have been given a four-digit number as your identifier.

Although some of the questions may appear to be of a personal nature, please understand that the Court and the parties must learn enough information about each juror's background and experiences to select a fair and impartial jury. Your cooperation is of vital importance. Please answer each question as fully and completely as possible. Your complete candor and honesty is necessary so that both the prosecution and the defense will have a meaningful opportunity to select an impartial jury.

You must answer all the questions, to the best of your ability. If you do not know the answer to a question, write, "I don't know." If the question does not apply to you, write "N/A." If you do not understand a question, just write "don't understand." Do not ask court personnel to explain the question. They are not permitted to do that. **DO NOT LEAVE ANY QUESTION BLANK.** It is important that the answers be yours alone. If you need more space for your responses or wish to make further comments regarding any of your answers, please use the Explanation Sheet at the end of the questionnaire. Put the number of the question you are answering on the Explanation Sheet before you write the response or comment.

Please keep in mind that there are no "right" or "wrong" answers, only complete and incomplete answers. Complete answers are far more helpful than incomplete answers. Remember, *you are sworn to give true and complete answers to all questions.*

Unless the question states otherwise, the fact that a particular question is asked does not imply that the subject matter of the question is an issue in this case. As you read the questions, you are not to draw any inferences about the issues that must be decided in this case. Do not write on the back of any page. **PLEASE PRINT OR WRITE LEGIBLY, and be sure to put your juror number on the upper right corner on each page. When you have finished answering the Questionnaire, you must sign with your name. In that signature page you are affirming the accuracy of your answers. That page will be removed by court staff and will not be shown to any party.**

Part of the questionnaire includes a list of all persons who may be called as witnesses to testify. You must put your juror number on that witness list and return it to the court staff with your questionnaire. You may not disclose the name of any of those witnesses to anyone. The court personnel will advise you when you may leave once they have collected your questionnaire and the witness list from you.

After you complete the questionnaire, the next step will be for some of you to return to the courthouse for more specific individual questioning by the Court. The first of these individual questioning sessions begins Wednesday, February 15, 2006, so you are all free to go to work or otherwise keep your normal schedule until your next time to report. Individual questioning will continue daily until approximately 85 jurors are found eligible. To find out whether you have to re-

turn for individual questioning, and if so, when, you must call the jury information number given to you by the court's staff. If you are asked to return for individual questioning, you should expect to be at the courthouse for up to four hours. You will have to report either for a morning session starting at 9:30 a.m. or an afternoon session starting at 2:00 p.m. Immediately after the questioning session, you will be told whether you have been excused or need to return for the final round of jury selection, which is scheduled to start at 10:00 a.m. on Monday, March 6, 2006, in courtroom 700.

On March 6, 2006, 18 of you will ultimately be chosen to hear this case, although only 12 of you will actually deliberate and issue the final decision. The other 6 are alternates. We use alternates in long trials to be sure that if someone gets sick or for some other reason cannot continue as a juror we are sure to have the 12 jurors the law requires to make the decision at issue in this trial. No one is designated an alternate until just before deliberations begin.

If you are selected on March 6 to be one of the 18 jurors, you will need to remain at the courthouse all day, because we expect opening statements and some witness testimony to start Monday afternoon. Lunch will be provided for you, so do not worry about bringing food unless you have special food needs.

After March 6, the trial will be held from 9:30 a.m. to 5:30 p.m. Monday through Thursday. If we stay on schedule, we will not hold court on Fridays until the jury begins its deliberations. I will try to give you several days' notice if we plan to hold court on Fridays. Each phase of this trial is expected to last several weeks, which is why you were initially advised that the trial could go into late May. However, I will have a better time estimate for you after the trial begins. Obviously, we need jurors who can serve for the entire trial.

From today on, until you are notified that you have been excused from this case, you must avoid reading, listening to, or in any other respect being exposed to anything about this case, the attacks on September 11, or the death penalty. You may not investigate any of the facts related to this case, or view the court's website for this case. You are not to discuss or communicate about this case or any of the above issues with anyone. I have issued an Order that prohibits anyone, including members of the media and the general public, from trying to contact, interview, identify, or in anyway communicate with potential jurors. If you believe someone has tried to do so, call the Court immediately.

Lastly, the duty some of you will be asked to perform—to sit in judgment of another human being and decide whether he should live or die—is an awesome responsibility not to be taken lightly. You must have the moral integrity to follow the law, even if you disagree with it, and you must find the facts fairly, even if you do not personally like the conclusion to which they lead. You must be able to withstand any bias, prejudice, or sympathy for either side of this case, and any public opinion. You must agree that your only goal as a juror in this case is to reach a fair and just decision. That is what our legal system expects of its jurors, and that is what this Court expects from you.

Once again, thank you for appearing today. The Court will now stand in recess.

United States v. Moussaoui: Jury Questionnaire

Hon. Leonie M. Brinkema
Eastern District of Virginia
February 6, 2006

The following questionnaire was prepared by the Eastern District of Virginia's United States District Judge Leonie M. Brinkema to facilitate jury selection in a prosecution for terrorism, *United States v. Moussaoui*, No. 1:01-cr-455 (E.D. Va. Dec. 11, 2001).

General Instructions

This questionnaire is designed to obtain information about your background as it is related to your service as a juror in this case. Its use will substantially shorten the jury selection process. The purpose of these questions is to determine whether prospective jurors can impartially decide this case based upon the evidence presented at trial and the instructions on the law given by the presiding judge. The questions are not intended to unnecessarily inquire into personal matters. All information contained in this questionnaire will be kept confidential and under seal.

You are sworn to give true and complete answers and those answers will be available only to the court and the parties in this case. The questionnaires belong to the court and all copies will be returned to the court. You are instructed not to discuss this case or the questionnaire with anyone, including your family and fellow jurors and members of the media.

Although some of the questions may appear to be of a personal nature, please understand that the Court and the parties must learn enough information about each juror's background and experiences to select a fair and impartial jury. Your cooperation is of vital importance. Please answer each question as fully and completely as possible. Your complete candor and honesty is necessary so that both the prosecution and the defense will have a meaningful opportunity to select an impartial jury.

You must answer all the questions, to the best of your ability. If you do not know the answer to a question then write, "I don't know." If the question does not apply to you, write "N/A." Please fill out the entire questionnaire. **DO NOT LEAVE ANY QUESTION BLANK.** It is important that the answers be yours alone. If you need more space for your responses or wish to make further comments regarding any of your answers, please use the Explanation Sheet at the end of the questionnaire. Put the number of the question you are answering on the Explanation Sheet before you write the response or comment.

Please keep in mind that there are no "right" or "wrong" answers, only complete and incomplete answers. Complete answers are far more helpful than incomplete answers. Remember, *you are sworn to give true and complete answers to all questions.*

Unless the question states otherwise, the fact that a particular question is asked does not imply that the subject matter of the question is an issue in this

Juror No. _____

case. As you read the questions, you are not to draw any inferences about the issues which must be decided in this case. Do not write on the back of any page. **PLEASE PRINT OR WRITE LEGIBLY, and be sure to put your juror number on each page. When you have finished answering the Questionnaire, you must sign with your name. In that signature page you are affirming the accuracy of your answers. That page will be removed by court staff and will not be shown to any party.**

Personal Background

Juror's Number: _____

1. Gender: _____
2. Age: _____
3. Place of Birth: _____
4. What is your ethnic background?
____ White/Caucasian, not Hispanic
____ Black/African-American, not Hispanic
____ Hispanic/Latino
____ Asian or South Asian
____ American Indian or Native American
____ Other: _____
(please specify)
5. In what town, city, or county do you currently live? _____
6. Length of time at current address: _____
7. How long have you lived in Northern Virginia? _____
8. If you have lived less than five years at your current address, indicate your prior town or community.

9. What is your current marital/domestic status? **(Check all that apply.)**
____ Single/Never married ____ Divorced
____ Married _____ years ____ Divorced and remarried
____ Domestic partner ____ Widowed
____ Separated ____ Lives with others

Juror No. _____

10. If you have children or stepchildren, please list them.

	Sex	Age	Live with you?	Education level	Occupation
1.					
2.					
3.					
4.					
5.					

11. Do you read, speak, write, and understand English?

- _____ Yes, without difficulty
- _____ Yes, with difficulty
- _____ No

12. Do you speak, read, or understand French? If so, how well?

13. In what country were your parents born?

Mother: _____

Father: _____

14. What is/was your father's occupation?

15. What is/was your mother's occupation?

16. Are you, your spouse (domestic partner), or a former spouse (domestic partner), parents, in-laws, or grandparents naturalized U.S. citizens?

Yes _____ No _____

If yes, please indicate the status of the person, *i.e.*, "spouse," and tell us when the person became a citizen.

Juror No. _____

17. Do you speak, read, or understand Arabic (or any dialect of Arabic), or did you grow up in a household where that language or any of its dialects was spoken?

Yes ____ No ____

(a) Do you read any Arabic-language newspapers or publications?

Yes ____ No ____

If so, please list the Arabic-language newspapers or publications.

(b) Do you watch any Arabic-language television programs, including newscasts?

Yes ____ No ____

If so, please list these programs/newscasts.

(c) If you speak, read, or understand the Arabic language (or any of its dialects), would you have any difficulty relying solely upon the official interpreter's translation of testimony and witnesses' translations of the evidence?

Yes ____ No ____

18. Have you, any family member, or a close personal friend ever traveled to, lived in, or worked in, either in a civilian or a military capacity, any of the following countries?

- | | | | | |
|----------------------------|-------------|--------------|-----------|--------|
| Morocco | Afghanistan | Saudi Arabia | Qatar | Yemen |
| Algeria | Egypt | Indonesia | Malaysia | Jordan |
| Iraq | Pakistan | Turkey | Iran | Israel |
| Tunisia | Syria | Sudan | Palestine | Libya |
| United Arab Emirates (UAE) | | | | |

Yes ____ No ____ (If yes, please circle the appropriate countries.)

19. What is your occupational status? (Check all that apply.)

- | | |
|--|-------------------|
| ____ Work full-time outside the home | ____ Student |
| ____ Work part-time outside the home | ____ Retired |
| ____ Full-time homemaker | ____ Disabled |
| ____ Homemaker with part-time employment | ____ Other: _____ |
| ____ Unemployed | _____ |

Juror No. _____

20. Without giving your place of employment, please state your current occupation.

21. Check the following category that best describes your employer.

- Federal government agency Private, for-profit corporation
- State government agency Private, not-for-profit organization
- County government agency Self employed
- City government agency Other: _____

22. Describe what you do. _____

How long have you held this job? _____

23. Please list all prior occupations or jobs during the past 15 years.

Occupation	Length of Employment

24. Are you a vendor or a contractor for the United States Government, or do you work for one?

Yes No

If yes, please describe. _____

25. What is your spouse or domestic partner's occupational status? (Check all that apply.)

- Work full-time outside the home Student
- Work part-time outside the home Retired
- Full-time homemaker Disabled
- Homemaker with part-time employment Other: _____
- Unemployed _____

Juror No. _____

26. Check the following category that best describes your spouse or domestic partner's employer.

- | | |
|---------------------------------|--|
| _____ Federal government agency | _____ Private, for-profit corporation |
| _____ State government agency | _____ Private, not-for-profit organization |
| _____ County government agency | _____ Self employed |
| _____ City government agency | _____ Other: _____ |

27. Without giving the place of employment, what is your spouse or domestic partner's current occupation or job title?

28. What kind of work did he or she do in the past? _____

29. Check the highest level of education for you and your spouse or domestic partner.

	You	Spouse or domestic partner
(a) Grade school or less	_____	_____
(b) Some high school	_____	_____
(c) High school graduate	_____	_____
(d) Technical or business school	_____	_____
(e) Some college	_____	_____
(f) College degree	_____	_____
(g) Graduate work or degree	_____	_____

If you attended college or received a graduate degree, identify all colleges and graduate schools you attended. _____

Juror No. _____

30. Do you, your spouse or domestic partner, or another member of your immediate family have any education, training, or employment experience in any of the following fields?

	Yes	No	Some
(a) Accounting, auditing, bookkeeping	_____	_____	_____
(b) Aircraft, airline industry, aviation	_____	_____	_____
(c) Security, intelligence	_____	_____	_____
(d) Private investigations	_____	_____	_____
(e) Law	_____	_____	_____
(f) Medicine	_____	_____	_____
(g) Psychology, psychiatry, or social work	_____	_____	_____
(h) Corrections (work in prisons/jails)	_____	_____	_____
(i) Religion and/or philosophy	_____	_____	_____
(j) Criminal justice	_____	_____	_____
(k) Foreign languages	_____	_____	_____
(l) Journalism, media, communications	_____	_____	_____
(m) Emergency rescue, firefighting, EMT	_____	_____	_____
(n) Computer or information technology	_____	_____	_____

If yes, please explain the nature and extent of the education, training, or employment experience. _____

31. Have you ever worked as a volunteer firefighter or as a member of a rescue squad or ambulance crew for any federal, state, or local agency?

Yes _____ No _____

(a) If yes, describe the nature of your service. _____

(b) If yes, during what time period(s)? _____

32. Have you ever worked as a commercial pilot?

Yes _____ No _____

If yes, during what time period and for what airline? _____

Juror No. _____

33. Have you ever taken any training to become a pilot?

Yes ____ No ____

If yes, please describe the training that you had and the time period when you took the training, and please identify the school where you took the training.

34. Have you ever attempted to obtain a pilot's license?

Yes ____ No ____

If yes, answer the following questions.

When? _____

Where? _____

Did you obtain the license? Yes ____ No ____

35. Have either you or your spouse or domestic partner worked in an airport?

Yes ____ No ____

(a) If yes, was it you or your spouse or domestic partner? _____

(b) If yes, please provide the time period when you or your spouse or domestic partner worked at the airport and describe the nature of the work.

36. How often do you fly on airplanes? (Check the most appropriate answer.)

Never ____ Seldom ____ Often ____

Juror No. _____

Military Service

37. Have you, your spouse or partner, or an immediate family member ever served in the armed forces, including the reserves, National Guard, or ROTC?

Yes ____ No ____

If yes, please answer the following .

	You	Spouse or Partner	Family Member
(a) Branch and highest rank	_____	_____	_____
(b) Dates of service	_____	_____	_____
(c) Place of service	_____	_____	_____
(d) Type of discharge	_____	_____	_____
(e) Served at the Pentagon?	_____	_____	_____
(f) Dates at the Pentagon	_____	_____	_____
(g) Any experience with courts martial, military police, shore patrol, or other area of military law enforcement?	_____	_____	_____
(h) Did you or they have any combat experience?	_____	_____	_____

If so, identify the location and years. _____

38. (a) Since September 11, 2001, have you, a family member, or a close friend served in or been injured while serving in a combat or military zone in Iraq, Afghanistan, or elsewhere in the Middle East?

Yes ____ No ____

If yes, please explain. _____

(b) Since September 11, 2001, has any family member or close friend been killed while serving or working in a military or combat zone in Iraq, Afghanistan, or elsewhere in the Middle East?

Yes ____ No ____

If yes, please explain. _____

Juror No. _____

Organizational Affiliations, Hobbies, and Spare Time Activities

39. Please list organizations to which you or your spouse or domestic partner belong or in which either of you participate, either now or in the past five years. (Include any civic, social, religious, charitable, volunteer, political, sporting, professional, business, union, fraternal, and recreational groups, such as, but not limited to, Kiwanis, Rotary Club, Exchange Club, Knights of Columbus, Veterans of Foreign Wars, American Legion, American Civil Liberties Union, National Rifle Association, and League of Women Voters.)

Self: _____

Spouse or domestic partner: _____

40. Have you ever held any office or title in any of the organizations you listed in question 30?

Yes ____ No ____

41. To what groups or organizations, including any victims rights or disaster relief organizations, if any, did you donate money, goods, or volunteer time during the last five years? _____

42. Have you, any member of your family, or any close personal friend ever held an elected or appointed office in the federal, state, or local government?

Yes ____ No ____

If yes, please describe. _____

43. Would you say that you seek out positions of leadership when you participate with others in your employment or other activities

Always ____ Often ____ Sometimes ____ Seldom ____ Never ____

Juror No. _____

Media Consumption

44. (a) How often do you read a newspaper?

- Every day
- Several times a week
- Once or twice a week
- Less often than once a week
- Never

(b) How often do you watch TV news?

- Every day
- Several times a week
- Once or twice a week
- Less often than once a week
- Never

(c) How often do you listen to radio news?

- Every day
- Several times a week
- Once or twice a week
- Less often than once a week
- Never

(d) How often do you get news off the Internet?

- Every day
- Several times a week
- Once or twice a week
- Less often than once a week
- Never

Please list all sources of news you watch, listen to, or read on a regular basis, in print or on television, radio, or the Internet, including the names of any particular news programs or Internet sites. Include radio talk shows.

Juror No. _____

45. Do you ever listen to radio talk shows, turn to political commentators on TV or radio, or do you ever visit political blog sites on the Internet?

Yes ____ No ____

If yes, which one(s)? _____

46. If you are chosen to be a juror, you will not be permitted to read or listen to any media or Internet coverage of this case and related subjects. Would these restrictions pose any difficulty for you?

Yes ____ No ____

If yes, please explain. _____

Contact and Experiences with Crime, Courts, and the Legal System

47. Are you, or is any close friend or relative, a member of a neighborhood crime watch or prevention group?

Yes ____ No ____

If yes, please identify the group and describe that participation. _____

Juror No. _____

48. Have you, or has any member of your family or a close friend or relative, ever been the victim of or witness to a crime, whether or not that crime was reported to law enforcement authorities?

Yes ____ No ____

- (a) If no, go to the next numbered question. If yes, please provide the following information for each person and incident.

Relationship (self, sister, etc.)	Type of Crime	Victim or Witness	Reported to Police?	Was Anyone Caught?	Outcome of the Case

- (b) In what ways, if any, did any of these incidents that you, or a person close to you, experienced affect your attitude about crime? _____

- (c) How do you feel about how the police or law enforcement authorities handled the situation? _____

49. Have you or has any family member or close friend had any personal experience with acts of terrorism?

Yes ____ No ____

If yes, please explain. _____

Juror No. _____

50. Have you, or has any member of your family or a close friend, ever been questioned about, accused of, investigated for, arrested for, or charged with a crime, other than a minor traffic offense?

Yes ____ No ____

(a) If yes, please provide the following:

Relationship of Person Charged (self, sister, etc.)	Crime(s) Charged	Case Outcome

(b) If yes, please provide a brief description of the alleged crime or crimes and the events leading up to the accusation, arrest, or charge. _____

(c) How did you feel about being questioned about that experience? _____

(d) Would this experience affect your ability to serve as a juror in this case?

Yes ____ No ____

Please explain. _____

51. Have you ever had to appear in court, or in any legal proceeding, as a plaintiff, defendant, victim, or witness for any reason other than that explained above?

Yes ____ No ____

If yes, please state when, and explain why you appeared in court. _____

Juror No. _____

51. Have you ever had to appear in court, or in any legal proceeding, as a plaintiff, defendant, victim, or witness for any reason other than that explained above?

Yes ____ No ____

If yes, please state when, and explain why you appeared in court. _____

52. Have you ever had an unfavorable experience with a lawyer or judge?

Yes ____ No ____

If yes, please explain. _____

53. Have you, or has any close friend or relative, made or brought any claim or lawsuit against any federal, state, or local government agency?

Yes ____ No ____

If yes, please explain. _____

54. Have any claims or lawsuits ever been made by any federal, state, or local official or government agency against you or any close friend or relative?

Yes ____ No ____

If yes, please explain. _____

Juror No. _____

55. Have you ever served as a juror at a trial before?

Yes ____ No ____

(a) If yes, please complete the following for each trial on which you served as a juror

When Did You Serve?	In What Court?	Criminal or Civil?	Charges/ Allegations	What Verdict Did the Jury Reach?
1.				
2.				
3.				

(b) Have you ever served as a jury foreperson?

Yes ____ No ____

(c) Was there anything about your jury experience that left you disappointed or dissatisfied with our justice system?

Yes ____ No ____

Please explain. _____

(d) Was there anything about your experience as a juror which would make you not want to serve again?

Yes ____ No ____

Please explain. _____

(e) In general, how much did you participate in that jury's discussion?

- _____ Less than other jurors
- _____ About the same
- _____ More than other jurors

Juror No. _____

56. Is there any racial or ethnic group that you do not feel comfortable being around?

Yes ____ No ____ Unsure ____

If yes, please explain. _____

57. Do you know of any reason that would keep you from serving fairly and impartially as a juror in a case in which the defendant was a person whose race was different from yours?

Yes ____ No ____

If yes, please explain. _____

58. Do you generally “hold your ground” when you feel that you are correct, or are you easily swayed by the strong influence of others?

- ____ Always hold my ground
- ____ Generally hold my ground
- ____ Generally swayed by others
- ____ Almost always swayed by others

Juror No. _____

59. Have you, any member of your family, or any close friend ever been employed by or made an application for employment with any local, state, or federal law enforcement or private security agency or international aid organization, including, but not limited to, the following? (Check as many as apply for each category.)

	Self	Family Member	Close Friend	Position
Federal Bureau of Investigation (FBI)				
U.S. Attorney's Office				
State Prosecutor's Office				
Internal Revenue Service (IRS)				
Drug Enforcement Agency (DEA)				
Central Intelligence Agency (CIA)				
National Security Agency (NSA)				
Department of Justice				
State Department				
Any U.S. Embassy				
U.S. Treasury Department				
Department of Homeland Security				
Peace Corps				
Agency for International Development (AID)				
Immigration and Naturalization Service (INS)				
Military Police				
Correctional Officer				
Bureau of Prisons				
Parole or Probation Office				

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Juror No. _____

	Self	Family Member	Close Friend	Position
State Police				
Police Department				
Sheriff's Department				
U.S. Marshal's Service				
Secret Service				
U.S. Customs				
U.S. Postal Service				
Federal Protective Services				
Naval Investigative Services				
Bureau of Alcohol, Tobacco, and Firearms (BATF)				
U.S. Park Police				
Other law enforcement or private security agency not listed (identify name of agency)				

60. Would you, as a juror, give law enforcement officers when testifying as a witness in a case, ore credibility, less credibility, or the same credibility as anyone else's testimony?

____ More credibility

____ Less credibility

____ Same credibility

Please explain. _____

Juror No. _____

61. What, if any, opinion do you hold about the performance of the Federal Bureau of Investigation (FBI) in each of the following criminal investigations? Circle one response for each investigation.)

	Performed Well	Performed Poorly	Not Familiar with Matter	No Opinion
(a) Waco, TX	1	2	3	4
(b) Ruby Ridge	1	2	3	4
(c) Richard Jewell	1	2	3	4
(d) Wen Ho Li	1	2	3	4
(e) September 11th	1	2	3	4
(f) Anthrax	1	2	3	4

62. Have you, or has any close friend or relative, ever worked or been a volunteer in the legal profession either as a lawyer, paralegal, or in a law office, including a prosecutor's or public defender's office?

Yes ____ No ____

If yes, please explain. _____

63. Do you have any strong feelings about American intelligence services or foreign intelligence services?

Yes ____ No ____

If yes, please explain. _____

General Opinions and Beliefs about the Criminal Justice System

Please check the answer that most closely reflects your own opinion concerning the following statements.

64. Do you believe that punishment or rehabilitation is the more important objective in sentencing those convicted of violent crimes?

Punishment ____ Rehabilitation ____

Juror No. _____

65. Do you believe that “proof beyond a reasonable doubt” is too heavy a burden for the prosecution to have to meet in a terrorism trial?

Yes ____ No ____ Unsure ____

66. Do you feel that the criminal justice system generally treats criminals too harshly, about right, or too leniently?

Too harshly ____ About right ____ Too leniently ____

67. Do you believe that defendants accused of participating in the terrorist acts of September 11th should be given the same rights as other criminal defendants?

Yes ____ No ____ Unsure ____

68. Do you believe that even in times of national crisis the rights of criminal defendants should be fully protected?

Yes ____ No ____ Unsure ____

69. Do you believe that “proof beyond a reasonable doubt” is too heavy a burden for the prosecution to meet in criminal trials?

Yes ____ No ____ Unsure ____

70. (a) The defendant, Zacarias Moussaoui, is not a citizen of the United States. Would you be able to afford him the same rights and considerations as you would a defendant who is a citizen of the United States?

Yes ____ No ____ Unsure ____

Please explain. _____

(b) The defendant has admitted to being a member of al Qaeda. Do you believe that you could be a fair and impartial juror in the trial of a member of that terrorist organization?

Yes ____ No ____ Unsure ____

Please explain. _____

Juror No. _____

Mental Health Training and Experience

71. Have you, anyone in your family, or a close personal friend ever received in-patient treatment, or been under a doctor's care, or any type of mental or psychiatric condition, including mood disorders, or as treatment for alcoholism or drug abuse?

Yes ____ No ____ Unsure ____

Please explain. _____

Contact, Knowledge, and Experience with Religious Groups and Organizations

72. What, if any, religion were you raised in? _____

73. What is your current religious affiliation, if any? _____

74. How often do you attend religious services?

Regularly ____ Occasionally ____ Seldom ____ Never ____

75. How knowledgeable are you about the history and/or practices of Islam?

____ Very knowledgeable
____ Somewhat knowledgeable
____ Not too knowledgeable
____ Not knowledgeable at all

76. Do you believe that Islam endorses violence to a greater or lesser extent than other major religions?

Yes ____ No ____ Unsure ____

Please explain. _____

Juror No. _____

77. To the best of your knowledge, in what contexts have you had contact with people who follow the religion of Islam (Muslims) or are of Arab descent? (Please check all answers that apply.)

In the family
 In the neighborhood
 In organizations
 Through work/business
 In places of worship
 In school
 In everyday life (shopping, movies, etc.)
 None
 Other: _____

78. Do you have any negative feelings or opinions about Muslims or people who are of Arab or North African descent?

Yes No

If yes, please explain. _____

79. Is there anything about a case with a defendant or witnesses who are Muslim or of Arab descent that would make it hard for you to serve as a fair and impartial juror?

Yes No

If yes, please explain. _____

Contact, Experience, and Knowledge of the Events of September 11, 2001

80. Were you in the metropolitan Washington, D.C., or metropolitan New York City areas during the day of September 11, 2001?

Yes No

81. Do you have any family members or friends who were in the metropolitan Washington, D.C., or metropolitan New York City areas during the day of September 11, 2001?

Yes No

Juror No. _____

82. Was anyone in your family or any close friend injured or killed in the attacks on the World Trade Center and the Pentagon or on the flight that was downed in Pennsylvania on September 11, 2001?

Yes ____ No ____

If yes, please explain. _____

83. Do you have a family member or close personal friend who knows someone who was injured or killed in the September 11 terrorist attacks or any of the victim's family members or close personal friends?

Yes ____ No ____ Don't know ____

If yes, please explain. _____

84. As a result of the terrorist attack, did you take any of the following actions on the day of September 11?

(a) Leave the building you were in as a result of an evacuation order. Yes ____ No ____

(b) Choose to leave the building you were in. Yes ____ No ____

(c) Leave work early that day. Yes ____ No ____

(d) Call someone to check on their safety or to let them know of your safety. Yes ____ No ____

(e) Receive a call checking on your safety or the safety of others. Yes ____ No ____

Juror No. _____

85. Do you know, or did you previously

- (a) Work at or near the Pentagon? Yes _____ No _____
- (b) Live near the Pentagon? Yes _____ No _____
- (c) Know someone who works at or near the Pentagon? Yes _____ No _____
- (d) Know someone who lives at or near the Pentagon? Yes _____ No _____
- (e) Work at or near the Twin Towers site in New York City? Yes _____ No _____
- (f) Know someone who works at or near the Twin Towers site in New York City? Yes _____ No _____
- (g) Know someone who lives at or near the Twin Towers site in New York City? Yes _____ No _____
- (h) Participate in any way in any of the rescue efforts following the September 11th attack? Yes _____ No _____
- (i) Know someone who participated in any way in any of the rescue efforts following the September 11th attack? Yes _____ No _____
- (j) Know someone who has suffered emotional distress as a result of the September 11th attack? Yes _____ No _____
- (k) Work in or near Somerset County, Pennsylvania? Yes _____ No _____
- (l) Know someone who lives in or near Somerset County, Pennsylvania? Yes _____ No _____
- (m) Know someone who works in or near Somerset County, Pennsylvania? Yes _____ No _____

If yes, please explain. _____

86. Did you drive by the Pentagon building in the days immediately following September 11, 2001, or during the period of the Pentagon's reconstruction, to observe the damage?

Yes _____ No _____

If yes, about how many times? _____

87. Have you been to the Pentagon building since September 11, 2001?

Yes _____ No _____

If so, for what purpose? _____

Juror No. _____

88. Have you participated in any of the following activities in connection to the events of September 11th?
- (a) Donated money, goods, or time to support relief efforts for the victims of the 9/11 attacks. Yes _____ No _____
 - (b) Donated blood. Yes _____ No _____
 - (c) Visited the Pentagon crash site. Yes _____ No _____
 - (d) Visited the Twin Towers crash site in New York City. Yes _____ No _____
 - (e) Visited any memorial site or attended any memorial service for 9/11 victims and survivors. Yes _____ No _____
 - (f) Participated in the rebuilding of the Pentagon. Yes _____ No _____
 - (g) Displayed a flag or other patriotic symbol on your vehicle or home as a result of September 11th. Yes _____ No _____
 - (h) Purchased a magazine, book, or other item commemorating September 11th. Yes _____ No _____
 - (i) Contacted a Website concerning September 11th related events. Yes _____ No _____

Please explain. _____

89. Have you ever attended any hearings (or portions of hearings) of the 9/11 Commission or watched them on TV or listened to them on the radio?

Yes _____ No _____

90. Have you ever read any reports, memos, or documents written or reviewed by the 9/11 Commission, or read or heard portions or accounts of them in any newspaper or other news source?

Yes _____ No _____

If yes to either question 89 or question 90, please describe. _____

91. Do you know anyone who is a pilot or flight attendant or who works in any capacity for an airline, an airport, a travel agency, or any business that provides goods or services to the airline industry, or for governmental agencies that monitor or assist the airline industry?

Yes _____ No _____

Juror No. _____

92. Did you or any family member or close personal friend have any plans to travel that were canceled as a result of the September 11th attacks?

Yes ____ No ____

93. Have you or any family member or close personal friend refused to fly in an airplane or been very reluctant to fly in an airplane as a result of the September 11th attacks?

Yes ____ No ____

94. Did you or any family member or close friend lose a job or a business contract or experience any other financial hardship as a result of events connected to September 11th?

Yes ____ No ____

95. Did you or any family member or close friend have to work substantial overtime or additional hours as a result of events connected to September 11th?

Yes ____ No ____

96. How concerned are you that terrorists will commit acts of violence near where you live or work?

Very concerned ____ Somewhat concerned ____ Not concerned ____

97. How much, if any, have the events surrounding the September 11th attacks on the Pentagon or World Trade Center affected you personally?

- ____ A great deal
- ____ A good amount
- ____ Not too much
- ____ Not at all

98. Have you written to any elected or appointed government official, or to any newspaper or magazine, or called in to any television or radio program, or written to any Internet "chat room" to express your opinion about the U.S. war on terrorism, the events related to September 11, Osama bin Laden, al Qaeda, or any other related issue?

Yes ____ No ____

If yes, please describe. _____

Juror No. _____

99. How often do you think about the victims of the September 11th terrorist attacks or the families who lost members in these attacks?

Often _____ Sometimes _____ Rarely _____ Never _____

100. Have you watched or listened to any documentaries, television specials, or interviews, or other programs concerning the family members, friends, or co-workers of the victims of the September 11th hijackings?

Yes _____ No _____

If yes, please describe. _____

101. Have you watched or listened to any documentaries, television specials, or interviews, or any other program concerning the people who assisted in rescue efforts or aided victims in New York, Northern Virginia, and Pennsylvania?

Yes _____ No _____

If yes, please describe. _____

Contact, Knowledge, and Experience with Terrorism (Other than September 11, 2001)

102. Have you seen any movies or read any books depicting or describing U.S. military efforts to combat terrorism?

Yes _____ No _____

If yes, please describe. _____

103. Have you read any books on Osama bin Laden, the al Qaeda network, terrorism, Afghanistan, Islam, fundamentalism, the Israeli–Arab conflict or other related topics?

Yes _____ No _____

If yes, please describe. _____

Juror No. _____

104. How closely did you follow the media coverage of the events involving the bombing of U.S. embassies in Kenya and Tanzania, including the trial in New York?

- Very closely
- Somewhat closely
- Not too closely
- Not at all

105. How closely did you follow the media coverage of the 1993 bombing of the World Trade Center Towers?

- Very closely
- Somewhat closely
- Not too closely
- Not at all

106. How closely did you follow the media coverage of the Khobar Towers (Marine barracks) bombing in Saudi Arabia?

- Very closely
- Somewhat closely
- Not too closely
- Not at all

107. How closely did you follow the media coverage of the attack on the U.S.S. *Cole* in Yemen?

- Very closely
- Somewhat closely
- Not too closely
- Not at all

108. How closely did you follow the media coverage of Richard Reid, the man convicted of trying to light a shoe bomb on American Airlines Flight 63 from Paris to the U.S. on December 22, 2001?

- Very closely
- Somewhat closely
- Not too closely
- Not at all

Juror No. _____

109. How closely did you follow the media coverage of the case of John Walker Lindh, the so-called "American Taliban"?

- _____ Very closely
- _____ Somewhat closely
- _____ Not too closely
- _____ Not at all

110. Do you know anyone, including any attorney, investigator, witness, juror, law enforcement official, or court employee, associated with the trial of John Walker Lindh, the Virginia paintball case, Dr. Ali Al-Timimi, or Ahmed Abu Ali?

Yes _____ No _____

If yes, please describe. _____

111. Do you have strong feelings about the government's efforts to fight terrorism?

Yes _____ No _____

If yes, please explain. _____

112. How closely have you followed media accounts that U.S. personnel have subjected members of al Qaeda to coercive interrogation techniques to obtain information as part of the war on terror?

- _____ Very closely
- _____ Somewhat closely
- _____ Not too closely
- _____ Not at all

Describe your understanding of those allegations. _____

113. Do you believe that it is acceptable for U.S. personnel to use coercive interrogation techniques to obtain information from detainees as part of the war on terror?

Yes _____ No _____

Please explain. _____

Juror No. _____

114. Do you believe that coercive interrogation techniques are more likely than non-coercive techniques to produce truthful answers during an interrogation?

Yes ____ No ____ No opinion ____

Knowledge About this Case

115. Do you know, or have you had any contact whatsoever with, the defendant, Mr. Moussaoui?

Yes ____ No ____

If yes, please explain. _____

116. How much have you heard about this case?

- ____ A lot about the case
- ____ Some
- ____ Very little about the case
- ____ Nothing at all

117. Have you ever visited this Court's Website concerning this case?

Yes ____ No ____

If yes, approximately how many times? _____

Briefly describe what material you reviewed. _____

118. How closely have you followed the news about this case?

- ____ Very closely
- ____ Somewhat closely
- ____ Not very closely
- ____ Not at all

Juror No. _____

119. (a) Please indicate from what source or sources you heard about the case.
(Check as many as apply.)

- Television
- Newspapers
- Radio
- Internet
- Personal knowledge of accused, or his family, friends, or acquaintances
- Personal conversations with others in the community
- Overheard others discussing case
- Other sources of information. List. _____

(b) Please describe as completely as possible what you have heard about this case. _____

120. Have you read or heard about any specific statements attributed to the defendant, Zacarias Moussaoui?

Yes ___ No ___ Unsure ___

Please describe. _____

121. Have you heard any statements by any U.S. government officials concerning Mr. Moussaoui or his alleged involvement in the September 11 plot?

Yes ___ No ___ Unsure ___

Please describe. _____

Juror No. _____

122. Have you read or heard any news articles or reports concerning Mr. Moussaoui's psychological condition, mental state, or the presence or absence of any mental illness?

Yes ____ No ____ Unsure ____

Please describe. _____

123. Based on what you have read, heard, or seen in the media, please tell us what feelings or opinions you have formed about this case or about the defendant, Zacarias Moussaoui, or about what the appropriate outcome of the case should be, or the appropriate sentence. _____

124. Based on this opinion, would it make it difficult for you to sit as a fair and impartial juror in this type of case? _____

Juror No. _____

125. To the best of your knowledge, have you or any of your family members or close personal friends ever met or spoken with, observed, or had any personal knowledge of any of the nineteen men publicly identified as the September 11th hijackers? (Check all that may apply.)

- _____ Mohammed Atta
- _____ Abdul Aziz Alomari
- _____ Waleed M. al-Shehri
- _____ Waleed al-Shehri
- _____ Satam al-Suqami
- _____ Marwan al-Shehhi
- _____ Fayez Ahmed, a.k.a. "Banihammad Fayez"
- _____ Ahmed al-Ghamdi
- _____ Hamza al-Ghamdi
- _____ Mohald al-Shehri
- _____ Khalid al-Midhar
- _____ Nawaf al-Hamzi
- _____ Hani Hanjour
- _____ Salem al-Hamzi
- _____ Majed Moqed
- _____ Saeed al-Ghamdi
- _____ Ahmed al-Nami
- _____ Ahmed al-Haznawi
- _____ Ziad Jarrah

Please explain. _____

126. Does the fact that this case involves a crime of massive violence cause you to question whether you can sit as a fair and impartial juror?

Yes _____ No _____

If yes, please explain. _____

127. Do you have any personal reason for wanting to serve as a juror in this case?

Yes _____ No _____ Not sure _____

Please explain. _____

Juror No. _____

128. Do you have any stake or personal or moral investment in the outcome of this case?

Yes ____ No ____ Not sure ____

Please explain. _____

Consideration of the Death Penalty

129. At the present time, do you support or oppose the use of the death penalty?

Yes ____ No ____ Neither support nor oppose the death penalty ____

130. What are the reasons that you feel the way you do about the death penalty?

131. How strongly do you hold your present opinion concerning the death penalty?

Very strongly ____ Moderately ____ Not strongly at all ____

132. Has your opinion about the death penalty changed over time?

Yes ____ No ____

If yes, in what way has your opinion changed? _____

133. Do you or a family member belong to any group or organization that takes a position (by lobbying or otherwise) for or against the death penalty?

Yes ____ No ____

If yes, describe the group or organization. _____

Juror No. _____

134. Have you read any books or articles or seen any television shows or movies about the death penalty?

Yes ____ No ____

If yes, which ones? _____

135. Do you think the death penalty in the United States is used too often, about right, or too seldom?

Too often ____ About right ____ Too seldom ____

Please explain. _____

Juror No. _____

136. How important would each of the following factors be to you in making a decision between the death penalty and life in prison without the possibility of release? (Check one answer for each factor.)

	Not At All Important	A Little Important	Somewhat Important	Very Important
(a) A defendant given life without the possibility of release will remain in prison for the rest of his or her life.	1	2	3	4
(b) Someone who kills another always is a danger to others even if in prison.	1	2	3	4
(c) Even someone who kills can change for the better.	1	2	3	4
(d) When you take a life through intentional murder, you forfeit your life.	1	2	3	4
(e) Acts of terrorism that kill civilians deserve the ultimate punishment.	1	2	3	4
(f) Fundamental Islamic beliefs held by a defendant.	1	2	3	4
(g) Membership in al-Qaeda.	1	2	3	4

Juror No. _____

	Not At All Important	A Little Important	Somewhat Important	Very Important
(h) It is wrong to take a life even as punishment.	1	2	3	4
(i) The costs of keeping someone in prison.	1	2	3	4
(j) A defendant's specific role in the offense.	1	2	3	4

137. In your opinion, is the death penalty in our society (check all that apply)

- Useful?
- Necessary?
- Counterproductive?
- Inhumane?
- A deterrent?
- Subject to error?
- Morally justified?
- Fair retribution?
- Other? Please describe. _____
- _____
- _____
- _____
- _____

138. Why do you hold these feelings? _____

139. Do you believe in the concept of "an eye for an eye" and "a life for a life" with respect to the death penalty as punishment for intentional murder?

Yes _____ No _____

Please explain. _____

Juror No. _____

140. Do you believe that a sentence of life imprisonment without the possibility of release could ever be a severe enough sentence for someone convicted of conspiracy to commit acts of terrorism, conspiracy to commit air piracy, conspiracy to murder U.S. citizens, or conspiracy to use weapons of mass destruction, resulting in the deaths of thousands of people, as in the September 11th attacks on the United States?

Yes ____ No ____ Unsure ____

Please explain your answer. _____

141. In what way, if any, has your opinion about the death penalty changed as a result of the events related to September 11th and the war on terrorism?

More support for it ____ No change either way ____ More opposed to it ____

142. Would you be more likely to vote for the death penalty as punishment for the intentional, premeditated murder of a U.S. citizen through acts of terrorism than you would in other cases of intentional, premeditated murder?

Yes ____ No ____ Unsure ____

143. Based on what you have read or heard about this case, have you reached the conclusion that the death penalty would be the only appropriate sentence?

Yes ____ No ____ Not sure ____

Please explain. _____

Trial Procedures

144. Since the Court has determined that your names and addresses will be kept confidential, will the fact that your name and address will not be revealed in any way affect your ability to be a fair and impartial juror to all the parties to this case?

Yes ____ No ____ Not sure ____

Please explain. _____

Juror No. _____

145. If you are selected to serve as a juror on this case, would you be concerned about reactions to the verdict by

- | | |
|---|--------------------|
| (a) Friends? | Yes _____ No _____ |
| (b) Relatives? | Yes _____ No _____ |
| (c) Co-workers? | Yes _____ No _____ |
| (d) Neighbors? | Yes _____ No _____ |
| (e) Members of your church, synagogue, mosque, or other house of worship? | Yes _____ No _____ |
| (f) The media? | Yes _____ No _____ |
| (g) People in this community? | Yes _____ No _____ |
| (h) Family and friends of victims? | Yes _____ No _____ |
| (i) Family and friends of the defendant? | Yes _____ No _____ |
| (j) People elsewhere in the U.S.? | Yes _____ No _____ |
| (k) People internationally? | Yes _____ No _____ |

If yes, what kind of concern or concerns do you have? Please explain. _____

146. Is there any matter not covered by this questionnaire that you think the Court or the attorneys might want to know about you when considering you as a juror in this case?

Yes _____ No _____ Not sure _____

Please explain. _____

147. Are you a smoker?

Yes _____ No _____

If yes, do you need to smoke more often than every two hours? Please explain. _____

Juror No. _____

148. Do you know of any reason whatsoever why you cannot sit as a juror in this case and decide it fairly and impartially according to the law?

Yes ____ No ____ Not sure ____

Please explain. _____

149. If, during the course of jury deliberations, a fellow juror should suggest that you disregard the law or the evidence, and decide the case on other grounds, would you, as a juror, be able to reject the suggestion and abide by your oath to this Court to decide the case solely on the evidence and law as the Court has instructed you to do, without regard to sympathy, bias, or prejudice?

Yes ____ No ____ Not sure ____

Please explain. _____

150. Do you have any medical condition that would make it difficult for you to serve as a juror?

Yes ____ No ____

If yes, please explain. _____

151. Are you currently taking any prescription medication which may prevent you from giving your full attention to the matters in court during a trial?

Yes ____ No ____

If yes, please explain. _____

152. What is the condition of your hearing?

- ____ No problems at all
- ____ Have difficulty hearing
- ____ Have problems, but they are corrected with a hearing aid

If you have problems, please explain. _____

Juror No. _____

153. What is the condition of your eyesight?

- No problems at all
- Have difficulty seeing
- Have problems, but they are corrected by glasses or contact lenses

If you have problems, please explain. _____

154. Do you have any specific problems concentrating or dealing with stress or pressure?

Yes No

If yes, please explain. _____

155. Do you have any personal, professional, or financial obligations that would prevent you from giving your full attention or prevent you from being present in court for the duration of the trial?

Yes No

If yes, please explain. _____

156. Do you know or recognize the judge in this case or any of the court personnel, attorneys, or potential witnesses? **(See the attached list for the names of potential witnesses and other persons associated with this trial.)**

Yes No

If yes, please give details. _____

157. As a result of filling out this questionnaire, have you now formed an opinion about this case?

Yes No Not sure

Please explain. _____

Juror No. _____

158. Is there anything about the subject matter of this case or the points covered in this questionnaire that creates a question in your mind as to whether you could be a fair, objective, and impartial juror in this particular case?

Yes ____ No ____ Not sure ____

Please explain. _____

159. Is there anything else that you think the Court should know that might influence your ability to fairly and impartially judge the evidence in this case and to apply the law as instructed by the Court?

Yes ____ No ____

If yes, please explain. _____

Juror No. _____

A F F I R M A T I O N

I, _____, hereby declare under penalty of perjury that the foregoing answers set forth in this Jury Questionnaire are true and correct to the best of my knowledge and belief. I have not discussed my answers with others, or received assistance in completing the questionnaire. I have answered all of the above questions in this Jury Questionnaire myself.

Executed in the Eastern District of Virginia, on this ____ day of February, 2006.

Signature

United States v. Abu Ali: Preliminary Venire Instructions

Hon. Gerald Bruce Lee
Eastern District of Virginia
October 25, 2005

The following text was prepared by the Eastern District of Virginia's United States District Judge Gerald Bruce Lee to address prospective jurors selected for the prosecution of a suspected terrorist in *United States v. Abu Ali*, No. 1:05-cr-53 (E.D. Va. Feb. 3, 2005).

Preview of Trial

Good morning ladies and gentlemen. My name is Gerald Bruce Lee, and I am the judge who will preside over the trial of the case.

The case we have for trial today is a criminal case entitled *United States v. Mr. Ahmed Omar Abu Ali*. Mr. Abu Ali is presumed to be innocent, and the purpose of this trial by jury is to determine if the Government can prove that the Defendant is guilty by proof beyond a reasonable doubt. Mr. Abu Ali has entered a plea of not guilty as to each of the charges.

You are here today to be involved in the selection of a jury to hear the case. I will be discussing the charges in more detail in a moment.

I want to first get started by stating what should be obvious but is, many times, misunderstood by many of us. The right to trial by jury is a fundamental right that each of us enjoys under the Constitution. We can only afford the essence of this right to those brought before our courts if all our citizens serve, no matter your station in life, your age, your education, or your background. In a very real sense, then, your presence today and your participation in this jury selection process are a part of a long-honored tradition involving hundreds of thousands of Americans over the years.

We lawyers and judges, who have made our careers and crafted our livelihoods in these courtrooms, have long since come to realize that our courts can only work and deliver equal justice to all as long as we have fair trials by jury. We recognize that along with the benefits of United States citizenship and liberty come duties and responsibilities. I say this at the outset because we want you to know that we understand that jury selection always comes at an inconvenient time; there is never a convenient time for jury duty. There is never a convenient time to go to the hospital emergency room or to undergo emergency surgery. There is never a convenient time to go to court. This case will certainly be no different.

This case in all likelihood will last for about three weeks, which amounts to twelve trial days, four days a week, Monday through Thursday. I anticipate this trial will begin for you on October 27, 2005, and continue until November 16 or later. We estimate the trial will require about three weeks in court, Monday through Thursday. So, to be clear, we anticipate bringing in the jury for jury selection procedures starting Tuesday, October 25, and we anticipate starting the

trial on approximately Monday, October 31, 2005, and we expect it to continue until November 17, 2005. We will be in court four days per week, Monday through Thursday, from 10:00 a.m. until 5:00 p.m., with an hour for lunch from 1:00 to 2:00 p.m.

I feel obliged to tell you that this will be a somewhat lengthy case for this court. Even if you were previously told that your term of jury duty is two weeks, if you are selected for the honor of serving on this jury, then you will have to stay with the case until it is completed, which will last much more than two weeks. I certainly will do my best to see that the case moves efficiently. These lawyers have never presented this case to a jury. The lawyers have been working on the case steadily for many months, so both sides are fully prepared to present the case to you without needless delay.

With the exception of service in the armed forces and voting, there is no other duty of citizenship more important than jury service. The right to trial by jury is why we need you and insist on your involvement.

Let me now introduce the parties in this case *United States v. Mr. Ahmed Omar Abu Ali*. Please pay attention to the appearance of each individual introduced, because later you will be asked if you know or are acquainted with any of these individuals. I'll ask the parties to face you as they introduce themselves. As they introduce themselves, ask yourself if you are personally familiar with any of the lawyers or parties introduced in court.

[Introduction of parties—by counsel.]

Summary of Charges Against the Defendant

Let me summarize the charges in this case. I do so only so that you can understand what this case is about. The charges are not evidence of guilt or anything else. Any evidence regarding these charges will come before you only when we begin the actual trial. I emphasize that what I am going to summarize now are just the charges, and these charges are not evidence.

Go Through the Indictment Count by Count

1. Count One charges the Defendant with conspiracy to provide material support and resources to a designated foreign terrorist organization (al-Qaeda). The indictment alleges that al-Qaeda is a worldwide terrorist organization dedicated to opposing non-Islamic governments, particularly the United States, with force and violence. Al-Qaeda was formed by Osama bin Laden and other individuals.

The allegations in this case are that President William Clinton, in January 1995 and 1998, issued an Executive Order 12947. As a result of finding that a variety of acts of violence by al-Qaeda constituted a threat to national security and foreign policy, the executive order prohibits any United States person from making or receiving any contribution of funds, goods, or services to or for the benefit of such persons.

Additionally, President George W. Bush issued an executive order on September 23, 2001, that found that grave acts of terrorism and threats of terrorism were a threat to national security. President Bush's Executive order 13224 prohi-

bited any future transaction or dealing by United States persons from making or receiving any contribution of funds, goods, or services to or for the benefit of persons in the al-Qaeda Islamic Army.

On May 12, 2003, terrorist attacks were carried out against residential compounds in Riyadh, Saudi Arabia, resulting in the deaths of approximately 34 individuals including 9 Americans.

Saudi Arabia officials sought out and arrested several individuals who belonged to clandestine terrorist cells in Saudi Arabia. Saudi officials were investigating the Riyadh bombings and terrorism in general at the time.

During the questioning of one alleged terrorist cell member, the Saudi Arabian government informed the United States that the Defendant Mr. Abu Ali was allegedly identified as a terrorist cell member. Let me quickly say that there are no allegations in this indictment that Mr. Abu Ali was involved in the May 12, 2003, Saudi Arabia bombings. Mr. Abu Ali is not charged with being involved in that incident, and Mr. Abu Ali is not on trial for that incident.

The allegations are that the Defendant Mr. Abu Ali, while a student in a university in Saudi Arabia, came into contact with and agreed to join a conspiracy with other individual co-conspirators to plan and carry out certain terrorist acts. A conspiracy is an agreement between an individual and others to agree to commit a crime or what may be called a partnership in crime with others. The charges allege that Mr. Abu Ali joined a conspiracy to carry out several acts including:

- a. Allegations that the Defendant would become a planner of certain terrorist operations.
- b. Allegations that the Defendant discussed making plans with other co-conspirators to plan an assassination of the President of the United States.
- c. Allegations that the Defendant decided to go to Afghanistan to join in a fight against United States military personnel in September 2002 and on June 9, 2003.
- d. Defendant allegedly offered himself to al-Qaeda as a person committed to furthering the objectives of the organization.
- e. Allegations that the Defendant accepted funds from co-conspirators in al-Qaeda to purchase a laptop computer, a cell phone, and books.
- f. Allegations that the Defendant did purchase these items.
- g. Allegations that the Defendant discussed with co-conspirators that he would help set up an al-Qaeda cell in the United States and carry out a terrorist operation here.

This is just a brief summary of some of the allegations set forth in the charges.

2. Count Two charges the Defendant with providing material support and resources to a designated foreign terrorist organization—al-Qaeda—between September 2002 and June 9, 2003.

3. Count Three charges the Defendant with conspiracy to provide material support to terrorists. The allegations are that the Defendant entered into a conspiracy to provide material support and resources to al-Qaeda knowing and intending to prepare for and carry out the assassination of the President of the United States.

4. Count Four charges the Defendant with providing material support and resources to terrorists. The allegations are that the Defendant provided material support and resources to al-Qaeda knowing and intending that the resources or material support was to prepare for and carry out the assassination of the President of the United States.

5. Count Five charges the Defendant with contribution of services to al-Qaeda. The allegations are that the Defendant made a contribution of services to and for the benefit of al-Qaeda, a specially designated terrorist organization under a regulation and in violation of a regulation and executive order signed by the President of the United States declaring al-Qaeda a terrorist organization.

6. Count Six charges the Defendant with receipt of funds and services from al-Qaeda between September 2002 and June 9, 2003.

7. Count Seven charges the Defendant with conspiracy to assassinate the President of the United States.

8. Count Eight charges the Defendant with conspiracy to commit aircraft piracy.

9. Count Nine charges the Defendant with conspiracy to destroy aircraft.

Proof Beyond a Reasonable Doubt

The foregoing are the charges against Mr. Abu Ali, and it is up to the Government to present evidence under oath before the jury and to prove the Defendant's guilt, if it can, by proof beyond a reasonable doubt. Mr. Abu Ali has pleaded not guilty to each of these charges. In every criminal case brought in this country, it is the Government—the prosecution—that has the burden of proving by proof beyond a reasonable doubt a defendant's guilt with respect to any charge brought. As I told you earlier, the Defendant is presumed to be innocent of the charges. Mr. Abu Ali is not required to prove that he is innocent or not guilty. Under our American criminal justice system, Mr. Abu Ali is not required to testify; he is not required to offer any evidence or to even to have his lawyers question the Government's witnesses, because the burden of proof of every element of the charges is upon the Government. The fact that Mr. Abu Ali has been charged does not mean that he is guilty. Indeed, the purpose of this trial is to see if the Government can produce evidence that convinces you of his guilt beyond a reasonable doubt. Bear in mind that you have not seen one witness testify, and we do not know what the evidence will be.

Juror Questionnaire

Obviously, what I have just said is only an overview of the possible course of this trial and a shorthand summary of the law. I am giving you this information because shortly I will hand out a jury questionnaire for you to complete. I went over all of this because I need you to think about it in order to prepare to answer the jury questionnaire and to answer my questions when you return to court later for individual questioning.

Now, in a few minutes I am going to ask the assembled jury panel to complete a confidential jury questionnaire. The jury questionnaire is to be completed

in full, under oath, and to the best of your ability. The jury questionnaire will only be available for jury selection by the lawyers and the judge. The jury questionnaire will not be available to any media because I am placing the answers under seal to protect your privacy. If you have any questions about the jury questionnaire, please write them down and provide them to the Court Clerk, Ms. Solomon. Ms. Solomon will answer any questions she can about how to complete the jury questionnaire and if you believe that only the judge can answer your questions, then I will answer your questions here in court. If at any time you believe that your question or the answer to it may contain personal information that you would prefer not to have to respond to in the presence of your fellow jurors, please let me know that and we can take up your questions outside the hearing of your fellow jurors.

Hardship Questions, Excuse

The Juror Questionnaire asks for information about juror schedule conflicts or hardship or medical problems. Please write down any information you want me to know on the explanation sheet. Understand, as I said at the outset, that the court is not going to excuse many jurors because of job conflicts, children in school, or just because you are busy. Only really compelling reasons will require me to excuse you from this case. I will read all the questionnaires requesting an excuse and you will be informed of my answer. After you complete the questionnaire you will be told when to call the jury phone number on _____, 2005, after 5:00 p.m. to learn when you have to come back to court for individual questioning. On your designated day, you will either be asked to come in to Court at 10:00 a.m. or 2:00 p.m. When you return to Court, I will speak to each of you individually and ask you a few additional questions. Let me note three additional comments.

First, I want to emphasize that if you are selected for this jury your only duty will be to decide whether the Government has established the Defendant's guilt by proof beyond a reasonable doubt. If, after hearing all the evidence in trial, the jury is of the unanimous opinion that the Government has not shown the Defendant to be guilty, then the law requires you to return a verdict of not guilty and the charges will be dismissed.

On the other hand, if after hearing all the evidence in trial, the jury is of the unanimous opinion that the Government has shown the Defendant to be guilty, then the law requires you to return a verdict of guilty. You are not to concern yourself with punishment, because under the law, the judge will apply the United States Sentencing Guidelines, consider information not presented to you about the Defendant's background, and the judge will then impose a sentence according to law. The jury must not consider possible punishment in any way in this trial.

Second, please remember to call the jury phone number and remember to come back to court when you are supposed to return. You would be shocked to see the number of people we have to bring to court with the marshals who walk in here and say "I forgot." Nothing is more embarrassing than to come to federal court and to tell a judge in a crowded courtroom "I forgot." I promise you that if you forget and fail to report back to court when you are supposed to, I will send

the United States Marshal to your home or office to require you to come back to court. Our marshal's service is busy with other cases that I am sure you are aware of, so please do not make me have to send them out for a juror who "forgot." Place a string around your finger, write yourself a note, but do not forget to return to court. Your return-to-court date is as important as showing up at the hospital for a heart transplant operation. This jury duty is serious business and we need your undivided attention. Let nothing get in the way of returning to court for your appointment when you are directed to return.

Understand that when you return to court this process will take some time so bring something to read while you wait and please be patient with us as we go about this process. There is no easy way to conduct jury selection and we are going to try our best not to unnecessarily waste your time.

Third and finally, I recognize that jury duty is an imposition and a responsibility of citizenship. Next to the right to vote, jury duty is when you give back to your country in a way that affects human lives. If you have never served on a jury before, I assure you there is no experience comparable to it. There is no experience similar to acting as a judge of the facts in a criminal case as a juror. There is no experience you will have that will bring you closer to the ideals of our great nation than jury duty. Jury duty is not the draft and no one is asking you to take up with the military here.

Today is not a time to tell the judge I am too busy to serve. Today is not a day to tell the nation, I do not have time to serve on a jury.

What I mean is that what we are talking about here—jury duty—is just that: a duty of citizenship and an honor. We recognize, of course, that jury duty rarely comes at a convenient time. There is always something—day-to-day living, important jobs or projects at work, a meeting, elderly relatives to care for, medical appointments, vacations, and other plans. Your employer may not deprive you of the right to serve on a jury, and if any of you has a problem with your employer allowing you to be off work for jury duty, you let me know and we can bring the employer to court and straighten that out for your employer. If you need a note saying you will be on jury duty, let us know and the clerk can prepare it for you. We understand that jury duty will be inconvenient for work and other things in life.

Jury duty arrives when we would rather be doing something else, which is why I rarely allow excuses from jury duty. Each of us is busy, and if I excuse every juror who has something to do, then the courts will be left only with those who have nothing better to do or maybe just those who are idle. I suppose we could go to nursing homes or retirement communities and secure individuals who do not work, but that would not be fair. We want busy and engaged people like you who represent a broad cross-section of our community to serve as jurors. We think that juries that are inclusive of Americans of a variety of backgrounds, ages, gender, education, and cultures will make for sound judgments in the jury room. Indeed, the founders of this country thought that the right of a jury representing average people in the community was so important that they provided for it in the Constitution.

The Media

This case has received, and probably will continue to receive, some media attention, so I must instruct you—I am instructing you now—not to read, watch television, listen to radio, read any newspaper or magazine, and not to conduct any internet or google searches about this case or Mr. Abu Ali. If you see or hear anything related to this case, turn off the television or radio. You are instructed to refrain from media exposure and you are instructed not to conduct any research. I want the jury to receive information about this case here—in trial—from witnesses under oath, in the presence of the accused, the Government, and your fellow jurors. Please do not accept any statements in the media as evidence because they are not evidence. The media do not know what evidence will be presented here in court. Indeed, the thirty-second summaries in the media or stories of the most sensational aspects of a trial rarely capture what the twelve jurors who are seated in the courtroom for five to six hours a day observe. What is reported in the media are called “news stories” for a reason. They are not transcripts or recordings of what actually occurs in a trial. If you have seen or read reports, please just answer the questions in the questionnaire honestly. Media exposure alone will not get you out of jury duty.

Final Instructions

Please approach your preparation of the Juror Questionnaire not grudgingly or negatively. Consider it an honorable undertaking worthy of your time and interest.

Remember: if you have questions about the instructions or a particular question, please feel free to ask the Courtroom Clerk, Ms. Jo Solomon. Please ask the court security officer for a piece of paper to write down your question before you approach the Courtroom Clerk. After you complete your questionnaire, turn it in to the clerk and get your report date phone call information.

I will leave the courtroom now to allow you time to complete the questionnaire. If you need me to return to the bench to answer a question in open court, I am available to answer questions. On behalf of our court staff and these parties, let me thank you for your patience and cooperation.

United States v. Abu Ali: Jury Questionnaire

Hon. Gerald Bruce Lee
Eastern District of Virginia
October 25, 2005

The following questionnaire was prepared by the Eastern District of Virginia's United States District Judge Gerald Bruce Lee to facilitate jury selection in a prosecution for terrorism, *United States v. Abu Ali*, No. 1:05-cr-53 (E.D. Va. Feb. 3, 2005).

Instructions for Jury Questionnaire

This questionnaire is designed to obtain information about your background as it relates to your possible service as a juror in this case. Its use may avoid the necessity of asking these questions of each prospective juror in open court, thereby substantially shortening the jury selection process. The purpose of these questions is to determine whether prospective jurors can impartially decide this case based upon the evidence presented at trial and the instructions on the law given by the presiding judge. The questions are not intended to unnecessarily inquire into personal matters. *All information contained in this questionnaire will be kept confidential, under seal by the court, and will not be available to the public or media.*

Respond to each question as fully and completely as possible. Your complete candor and honesty is necessary so that both the prosecution and the defense will have a meaningful opportunity to select an impartial jury. Your cooperation is of vital importance.

You are sworn to give true and complete answers, and those answers will be available only to the court and the parties in this case. This questionnaire belongs to the court, and all copies will be returned to the court once a juror is excused. You are instructed not to discuss this case or the questionnaire with anyone, including your family and fellow jurors.

If you require additional space for your responses or wish to make further comments regarding any of your answers, please use the Explanation Sheet located at the end of the questionnaire. Put the number of the question you are answering on the Explanation Sheet before you write your response or comment.

Please keep in mind that there are no "right" or "wrong" answers, only complete and incomplete answers. Complete answers are far more helpful than incomplete answers.

Unless the question states otherwise, the fact that a particular question is asked does not imply that the subject matter of the question is an issue in this case. As you read the questions, you are not to draw any inferences about the issues that must be decided in this case.

Please fill out the entire questionnaire. Do not leave any questions blank. If a question does not apply to you in any way, write "N/A" rather than leaving the question blank.

**PLEASE PRINT LEGIBLY—PLEASE USE ONLY DARK INK
THANK YOU FOR YOUR TIME AND ATTENTION**

Juror No. _____

Jury Questionnaire
United States v. Ahmed Omar Abu Ali, 05-cr-53

Background

1. Name: _____
2. Where do you currently reside?
City: _____ County: _____
3. How long have you lived at your current address? _____ years ____ months
4. Are you: Male _____ Female _____
5. How old are you? _____ years
6. In what country were you born? _____
7. How long have you lived in Northern Virginia? _____
8. Is English your first language? Yes _____ No _____
9. If English is not your first language, do you have any difficulty reading, writing, speaking, or understanding English?
Yes _____ No _____
10. What is your current marital status?
_____ Married _____ Single/Never Married
_____ Widowed _____ Separated or Divorced

For all of the following questions, the definition of “spouse” includes the husband or wife of a married individual and the significant other or domestic partner of an unmarried individual.

11. Are you, your spouse, or former spouse a naturalized U.S. citizen?
Yes _____ No _____

Juror No. _____

12. Are you employed?

Yes _____ No _____

(a) If employed, what is your current occupation/job title?

(b) How long have you held this job? _____ years _____ months

(c) Name of employer: _____

(d) If retired, what was your occupation/job title? _____

Where did you work? _____

(e) If between jobs, what was your last position? _____

Where did you work? _____

(f) If you are a student, where do you attend school? _____

13. Do you have a second job?

Yes _____ No _____

If yes, what do you do? _____

14. Check the highest level of education attained by you and your spouse:

	You	Spouse
Grade school or less	_____	_____
Some high school	_____	_____
High school graduate	_____	_____
Technical/vocational/business school	_____	_____
Some college	_____	_____
College degree (indicate degree below)	_____	_____
Some graduate education	_____	_____
Graduate degree (indicate degree below)	_____	_____

Your degrees held: _____

Your area(s) of study/major: _____

15. What is your current religious affiliation? If none, write "none."

Juror No. _____

16. Have you had any previous religious affiliations?

Yes _____ No _____

If yes, please list your previous religious affiliations, in chronological order, with your most recent affiliation first. _____

17. A number of the audio- and videotaped conversations that you will hear during trial will be in Arabic. Written translations of the conversations will be given to the jury as the tapes are played. Do you have any physical disability that would make it difficult for you to listen to or see the tapes and translations?

Yes _____ No _____

If yes, please explain. _____

18. Is there any reason that it would be hard for you to pay attention to a lengthy video- or audiotape?

Yes _____ No _____

Nature of the Case

19. Under our United States Constitution, the defendant, Mr. Abu Ali, is presumed to be innocent, and he cannot be found guilty of any offense unless and until the government has proven each element of that offense beyond a reasonable doubt. Do you accept this principle and agree to apply it?

Yes _____ No _____

20. The defendant is not required to testify or to present his side of the story to the jury at all. Under our United States Constitution, the defendant has the absolute right to remain silent, and the jury may not consider the fact that the defendant chooses not to testify as any evidence against him. Do you understand that the defendant's silence may not be held against him, and that you may not consider it in your deliberations?

Yes _____ No _____

Criminal Procedure

21. Do you believe that if the prosecution brings a person to trial, that person is probably guilty?

Yes _____ No _____ Unsure _____

Juror No. _____

22. Do you believe that innocent people are sometimes convicted of crimes they did not commit?

Yes _____ No _____ Unsure _____

23. A number of trial witnesses may be law enforcement officers. Do you feel that because of your attitudes about, or experiences with, law enforcement officers, the testimony of a law enforcement officer is entitled to greater, or less, weight than a regular citizen witness simply because of his or her status as a law enforcement officer?

Yes _____ No _____

24. At the conclusion of the case, it is the Court's task and duty to instruct you on the law and explain to you the elements of the crimes charged in the indictment. Do you have any personal, religious, philosophical, or other beliefs as to what the law is or should be that would make it difficult for you to follow the instructions of the Court?

Yes _____ No _____

If yes, please explain. _____

25. Is there any reason why you could not be completely fair and impartial to the defendant, Ahmed Omar Abu Ali, or to the government in this case?

Yes _____ No _____

If yes, please explain. _____

Knowledge of Arabic, Islam, and the Middle East

26. Do you speak, read, write, or understand the Arabic language or any dialect of Arabic?

Yes _____ No _____

If yes, please indicate your proficiency by checking the appropriate box:

	Beginning	Intermediate	Conversational	Fluent
Reading				
Writing				
Understanding				
Speaking				

Juror No. _____

27. Did you grow up in households where the Arabic language, or any of its dialects, was spoken?

Yes _____ No _____

28. Have you had any formal training in the Arabic language, the Urdu language, or any of their dialects?

Yes _____ No _____

If yes, please state where the training occurred, and for how long. _____

29. Do you read any Arabic language or Urdu language newspapers or publications?

Yes _____ No _____

If yes, please list the Arabic language or Urdu language newspapers or publications. _____

30. Do you watch any Arabic language television programs, including newscasts?

Yes _____ No _____

If yes, please list the programs or newscasts. _____

31. The defendant in this case is of Arab or Middle Eastern descent. Are you, your spouse, any member of your immediate family, or any of your close personal friends of Arab or Middle Eastern descent?

Yes _____ No _____

32. Were you, your spouse, any member of your immediate family, or any of your close personal friends born in the Middle East?

Yes _____ No _____

If yes, where? _____

Juror No. _____

33. Have you, your spouse, any member of your immediate family, or any of your close personal friends lived, worked, or traveled (or is any of these currently living, working, or traveling) in any of the following countries: Afghanistan, Egypt, Iran, Jordan, Kuwait, Iraq, Israel, Lebanon, Libya, Palestine, Pakistan, Qatar, Saudi Arabia, Sudan, Syria, United Arab Emirates, or Yemen?

Yes _____ No _____

If yes, please explain. _____

34. Do you, your spouse, any member of your immediate family, or any of your close personal friends have any business or property interests in any of the following countries: Afghanistan, Egypt, Iran, Jordan, Kuwait, Iraq, Israel, Lebanon, Libya, Palestine, Pakistan, Qatar, Saudi Arabia, Sudan, Syria, United Arab Emirates, or Yemen?

Yes _____ No _____

If yes, please explain. _____

35. Is there anything about a case where a defendant, or a witness, is Muslim (which means he or she practices the Islamic faith) that would make it difficult for you to serve as a fair and impartial juror?

Yes _____ No _____

If yes, please explain. _____

36. Do you personally know anyone who is a student of, or who practices, the Muslim faith (Islam)?

Yes _____ No _____

If yes, please describe your relationship to that person and whether you have discussed that person's faith with him or her. _____

37. Do you believe that Islam endorses violence?

Yes _____ No _____

38. Have you ever visited a mosque?

Yes _____ No _____

If yes, what were the circumstances of the visit? _____

Juror No. _____

39. Do you have any impressions of the Saudi Arabian criminal justice system?

Yes _____ No _____

If yes, please explain. _____

40. Have you heard of the Saudi Mabathith?

Yes _____ No _____

41. Do you have an opinion about Muslim charities?

Yes _____ No _____

If yes, please explain. _____

42. Do you personally know anyone who is of Arab or Middle Eastern descent?

Yes _____ No _____

If yes, please describe your relationship to that person and whether you have discussed that person's ethnic background with him or her. _____

43. How knowledgeable are you about the history, traditions, and practices of the Muslim faith (Islam)?

_____ Very knowledgeable

_____ Somewhat knowledgeable

_____ Not too knowledgeable

_____ Not at all knowledgeable

44. Do you have any feelings, positive or negative, about the Muslim faith (Islam)?

Yes _____ No _____

If yes, please describe them. _____

45. Is there anything about Islamic teachings or doctrine that is personally offensive to you?

Yes _____ No _____

If yes, please explain. _____

Juror No. _____

46. Have you, or anyone you know, ever worked in a civilian or non-military government capacity anywhere in the Middle East, including but not limited to Afghanistan, Egypt, Iran, Iraq, Israel, Jordan, Kuwait, Lebanon, Libya, Palestine, Pakistan, Qatar, Saudi Arabia, Sudan, Syria, United Arab Emirates, or Yemen?

Yes _____ No _____

If yes, who, when, where, and what type of work? Please do not list the employer. _____

47. Do you know anyone who presently resides in the Middle East?

Yes _____ No _____

If yes, who and where? _____

48. Do you work, or have you worked in the past, with people of Middle Eastern descent?

Yes _____ No _____

49. Do you socialize with people of Middle Eastern descent?

Yes _____ No _____

Government or Military Affiliation

50. Have you, your spouse, or any member of your immediate family ever served in the armed forces?

Yes _____ No _____

(a) If yes, please give the following:

	Branch and Highest Rank	Dates of Service	Type of Discharge
You			
Spouse			
Other Family Members			

Juror No. _____

(b) Have you, your spouse, or any member of your immediate family ever been involved in a court martial?

Yes _____ No _____

If yes, please explain. _____

(c) If you, your spouse, or any member of your immediate family has served in the military, were you, or they, ever in a combat situation?

Yes _____ No _____

If yes, please state who, where, and when. _____

51. Have you or any close family members or friends served in a combat or a military zone in Afghanistan, Iraq, or elsewhere in the Middle East?

Yes _____ No _____

If yes, indicate who, when, and the circumstances under which they served.

52. Have you, your spouse, any member of your immediate family, or any of your close personal friends been injured or killed while serving in a combat or a military zone in Afghanistan, Iraq, or elsewhere in the Middle East?

Yes _____ No _____

(a) If yes, please explain. _____

(b) Does the above experience affect your perception of Muslims? If so, please explain. _____

Juror No. _____

53. Have you, your spouse, any of your immediate family members, or any of your close personal friends been employed by, applied for employment with, or volunteered with any of the following organizations or agencies? (Check all that apply.)

	You	Spouse	Friend/ Family Member
Any law enforcement agency (such as a police or sheriff's department; the Federal Bureau of Investigation (FBI); Drug Enforcement Agency (DEA); Bureau of Alcohol, Tobacco, and Firearms (ATF); U.S. Marshals Service; U.S. Park Police; U.S. Justice Department; a District, Commonwealth, or State's Attorney's Office; a probation or parole office; Bureau of Prisons; Department of Corrections; military police; or private security police)			
Any local, state, or national security or self-defense agency (including the Department of Homeland Security)			
Any military or civilian intelligence agency (including CIA, DIA, NSA)			
The office of any member of the U.S. Senate, any member of the U.S. House of Representatives, or any congressional committee or subcommittee			
The White House or Office of the President			

If yes, please explain. _____

Juror No. _____

Personal Experience

54. Do you, your spouse, any member of your immediate family, or any of your close personal friends know anyone who was a victim or immediate family member of a victim of a terrorist attack that occurred in the United States or anywhere abroad?

Yes _____ No _____

If yes, please explain. _____

55. Was anyone in your family, or any close friend, injured or killed in the attacks on the World Trade Center and the Pentagon, or on the flight that was downed in Pennsylvania, on September 11, 2001?

Yes _____ No _____

56. In light of the fact that the allegations in this case involve al-Qaeda, can you render an impartial verdict in this case?

Yes _____ No _____

57. In light of the fact that there are allegations in reference to Osama bin Laden, can you still render an impartial verdict in this case?

Yes _____ No _____

58. Have you, your spouse, any member of your immediate family, or any of your close personal friends ever been confined or detained involuntarily by a government or military authority (for example, in jail, in prison, or as a prisoner of war)?

Yes _____ No _____

(a) If yes, please explain. _____

(b) If yes, were you, your spouse, your immediate family member, or your close personal friend ever subjected to mistreatment while in confinement?

Yes _____ No _____

If the answer to (b) is yes, please explain. _____

Juror No. _____

59. Do you, your spouse, any member of your immediate family, or any of your close friends know anyone who has been arrested, detained, or imprisoned in a foreign country?

Yes _____ No _____

If yes, please explain. _____

60. Have you ever experienced discrimination against you on account of your religious beliefs?

Yes _____ No _____

If yes, please explain. _____

Special Expertise

61. Do you or your spouse have any specialized education, training, work experience, or expertise in any of the following areas? (Check all that apply.)

	You	Spouse
(a) Criminal justice or law enforcement	_____	_____
(b) Firearms or explosives	_____	_____
(c) History, political science, or government	_____	_____
(d) Middle East history or area studies	_____	_____
(e) Journalism or media	_____	_____
(f) Law or legal studies	_____	_____
(g) Military history or military studies	_____	_____
(h) Religion or philosophy	_____	_____
(i) Foreign languages or linguistics	_____	_____
(j) Computer science	_____	_____

If yes to any of these, please list and describe the training, experience, or expertise. _____

Juror No. _____

62. Do you have regular access to the Internet?

Yes _____ Yes, but only at work _____ No _____

If yes, or yes, but only at work, about how often do you access the Internet?

_____ Stay connected for extended periods throughout the day

_____ A few times a day

_____ Daily

_____ A few times a week

_____ A few times a month

_____ A few times a year

Exposure to Media Coverage of This and Other Cases

63. Ahmed Omar Abu Ali is a United States citizen and a resident of Northern Virginia. He has been a student at the Saudi Islamic Academy in Falls Church, Virginia, at the University of Maryland, and at the Islamic University in Medina, Saudi Arabia. In this case, the defendant is charged with conspiracy to provide material support and resources to foreign terrorist organizations, providing material support and resources to foreign terrorist organizations, contributing services to and receiving funds from al-Qaeda, conspiracy to assassinate the President of the United States, conspiracy to commit aircraft piracy, and conspiracy to destroy aircraft. This case has received some publicity. Have you seen, heard, or read anything about the defendant or this case? (This includes not only from the media—e.g., newspaper, TV, radio, Internet, etc.—but also anything you may have heard from friends, relatives, or co-workers.)

Yes _____ No _____

(a) If yes, please explain what you have seen, heard, or read and from what source(s). _____

(b) Is there anything you have seen, heard, or read about this case that would interfere with your ability to render a fair verdict based solely on the evidence presented in court?

Yes _____ No _____

If yes, please explain. _____

Juror No. _____

64. Have you formed an opinion as to the innocence or guilt of the defendant, Ahmed Omar Abu Ali, in this case?

Yes, I have formed an opinion _____ No, I have not formed an opinion _____

65. Have you heard or read about any allegations made by the defendant, Ahmed Omar Abu Ali, that he was tortured while in custody in Saudi Arabia?

Yes _____ No _____

(a) If yes, please describe what you have heard or read. _____

(b) If yes, would you be able to put aside what you have read and fairly consider the evidence presented at trial on this issue?

Yes _____ No _____

66. Have you read or heard any news coverage or received information from any other source regarding a criminal case in Northern Virginia referred to as either the "Virginia Jihad" case or the "Virginia Paintball" case?

Yes _____ No _____

If yes, please describe what you have read or heard and from what source.

67. Do you know anyone who was a defendant, witness, lawyer, investigator, or was otherwise involved or associated in any way with a criminal case in Northern Virginia described as the "Virginia Jihad" case or the "Virginia Paintball" case?

Yes _____ No _____

If yes, please explain. _____

68. Have you read or heard any news coverage or received information from any other source regarding a criminal prosecution in Northern Virginia of an individual named Ali al-Timimi?

Yes _____ No _____

If yes, please describe what you have read or heard and from what source(s).

Juror No. _____

69. Do you know the defendant or anyone who was a witness, lawyer, investigator, or was otherwise involved or associated in any way with a criminal prosecution in Northern Virginia of an individual named Ali al-Timimi?

Yes _____ No _____

If yes, please explain. _____

70. This case is likely to receive ongoing media attention. The Court wants to ensure that this case is decided solely on the evidence in the courtroom and is not decided based on things that are said outside the courtroom. Accordingly, the Court will require that you avoid reading about the case in the newspapers and listening to any radio or television reports about the case. The Court also requires that you avoid discussing this case with friends and family during the course of the trial. You will also be prohibited from using the Internet or any other tool to research any issue raised in this case while you are a juror. Would these requirements pose any difficulty for you?

Yes _____ No _____

Policy Issues

71. Do you have an opinion regarding the relationship between the governments of the United States and Saudi Arabia, particularly as it relates to combating terrorism?

Yes _____ No _____

If yes, what is your opinion? _____

72. Do you have an opinion regarding the human rights practices of the government of Saudi Arabia?

Yes _____ No _____

If yes, what is your opinion? _____

73. Do you believe that the United States Government's efforts to combat terrorism against the United States have unfairly targeted Arab Americans?

Yes _____ No _____ No opinion _____

If yes, please explain. _____

Juror No. _____

74. Do you believe that using physical violence to get information is acceptable in cases involving national security?

Yes _____ No _____

75. Do you believe that torture can be both physical and mental?

Yes _____ No _____

76. Do you feel that physical violence is an effective means of procuring a confession?

Yes _____ No _____

77. Do you believe there is a law enforcement bias against people of Middle Eastern descent or people of the Islamic faith?

Yes _____ No _____

If yes, please explain. _____

78. Are you, or have you ever been, a member of any human rights advocacy group?

Yes _____ No _____

If yes, please explain and include the name of the group. _____

79. Do you, your spouse, any of your immediate family members, or any of your close personal friends belong to any organization that deals with, or attempts to influence, United States foreign policy in the Middle East?

Yes _____ No _____

If yes, please indicate the person, name the organization, and describe the involvement. _____

Juror No. _____

83. Have you, your spouse, any of your immediate family members, or any of your close personal friends had any contact or dealings with Dar al-Arqam Islamic Center, also known as the Center for Islamic Information and Education, located in Falls Church, Virginia?

Yes _____ No _____

If yes, please explain. _____

84. The defendant, Ahmed Omar Abu Ali, is represented by several attorneys: Ashraf Nubani, whose office is in Annandale, Virginia; Khurram Wahid, whose office is in Miami, Florida; Carmen Vizcaino, whose office is in Miami, Florida; and Nina Ginsberg, whose office is in Alexandria, Virginia.

- (a) To your knowledge, do you, your spouse, any member of your immediate family, or any of your close personal friends know or have any connection with any of these lawyers, their offices, or their staffs?

Attorney Ashraf Nubani	Yes _____ No _____
Attorney Khurram Wahid	Yes _____ No _____
Attorney Carmen Vizcaino	Yes _____ No _____
Attorney Nina Ginsberg	Yes _____ No _____

If you answered "yes" for any of these individuals, please describe the connection. _____

- (b) Have you seen, heard, or read anything about any of these attorneys? (This includes not only from the media, but anything you may have heard from friends, relatives, or co-workers.)

Yes _____ No _____

If yes, please describe what you have seen, read, or heard and from what source(s). _____

Juror No. _____

85. Do you, your spouse, any member of your immediate family, or any of your close personal friends have any connection with, or have you ever seen, heard, or read anything about any of the individuals listed below, who may be witnesses or who may be mentioned at trial?

- | | | |
|-------------------|--------------------------|----------------------|
| Mohammed Adra | Dennis Hankins | Christopher Odell |
| Beth Babyak | Willie T. Hulon | Dan Olson |
| Brian Balgaard | Maria Jocys | Glenn Posto |
| Merry Brinkley | Dr. Robert Katz | Alison Rees |
| Sara Chervenak | Gordon Kromberg | Leigh Rieder |
| Barry Cole | Luke Kuligoski | Dr. Gregory Saathoff |
| Patrick Cook | David Laufman | Kenneth Sackett |
| Dina Corsi | Sarah Web Linden | Dr. Richard Schwartz |
| Ed Cramer | Viktoria Lopakiesicz | Lee Shepps |
| Tonya Creavalle | Elias Machanaly | Gilbert Sperling |
| Alex Daghestani | Christopher Mamula | Monica Trachesel |
| Patrick M. Gillen | Michael Mason | Charles Wilmore |
| Charles Glatz | Sylvia McCarthy | John Wyman |
| | Sgt. Robert McCray-Brown | |

Yes _____ No _____

If yes, please list the individual's name and explain the connection or what you have seen, read, or heard and from what source(s). _____

86. Do you know any of the other prospective jurors called to serve in this case?

Yes _____ No _____

If yes, please identify the prospective juror(s) and explain how you know them. _____

87. The judge who will preside over this case is The Honorable Gerald Bruce Lee of the United States District Court for the Eastern District of Virginia. Do you, your spouse, any member of your immediate family, or any of your close personal friends know or have any connection with Judge Lee or any of his staff?

Yes _____ No _____

Juror No. _____

Experience with the Criminal Justice System

88. Have you, your spouse, any member of your immediate family, or any of your close personal friends ever been charged with a crime or been the subject of a criminal investigation?

Yes _____ No _____

If yes, please explain. _____

89. Have you ever appeared or testified as a witness in any investigation or legal proceeding?

Yes _____ No _____

If yes, please explain. _____

90. Have you ever been questioned in any matter by a local, state, or federal law enforcement agency, including any police or sheriff's office, the Federal Bureau of Investigation (FBI), the Drug Enforcement Administration (DEA), the Bureau of Alcohol, Tobacco, and Firearms (ATF), the Department of Justice, the Department of Homeland Security, the Internal Revenue Service (IRS), or the Bureau of Immigration and Customs Enforcement (ICE), formerly known as the Immigration and Naturalization Service (INS)?

Yes _____ No _____

If yes, please explain. _____

Juror No. _____

91. Have you ever:

- (a) Served as a juror in a criminal case? Yes _____ No _____
- (b) Served on a grand jury? Yes _____ No _____
- (c) Served as a juror in a civil case? Yes _____ No _____
- (d) Served as foreperson on a jury? Yes _____ No _____
- (e) Been a juror in a case where the jury was unable to reach a verdict? Yes _____ No _____

If you have served on a jury, please list below (1) the approximate year; (2) whether you served in state court or federal court; (3) whether it was a grand jury or a trial jury; (4) whether you served as foreperson; (5) what the general nature of the case was (for example, robbery, murder, contract, negligence, medical malpractice, etc.); (6) whether or not a verdict was reached; and (7) if there was a verdict, what the verdict was.

Year	State or Federal Jury?	Grand Jury or Trial Jury?	Were You the Foreperson? (Yes/No)	Nature of Case	Was There a Verdict? (Yes/No)	What Was the Verdict?

If you need additional space to complete this or any other answer, please write "continued," go to the blank pages at the back of the questionnaire, indicate the number of the question, and continue your answer.

Juror No. _____

92. Do you personally, or in connection with your business, have any pending interest in any legal action or dispute with the United States, or any officer, agents, or employees of the United States?

Yes _____ No _____

If yes, please explain. _____

93. There may be evidence introduced in this case about the activities of American and foreign intelligence services. Do you have any strong feelings about American intelligence services or foreign intelligence services?

Yes _____ No _____

If yes, please explain. _____

94. There may be testimony in this case by officers of the Saudi Arabian domestic security service, known as the Mabathith. Would you have any difficulty giving fair consideration to their testimony?

Yes _____ No _____

If yes, please explain. _____

95. There may be evidence introduced in this case consisting of reports by the U.S. State Department about the human rights practices of the government of Saudi Arabia. Are you familiar with these reports?

Yes _____ No _____

(a) If yes, please explain. _____

(b) If yes, do you have an opinion about the truth or accuracy of these reports?

Yes, I have an opinion _____ No, I do not have an opinion _____

The trial will start on or about October 27, 2005, and will last approximately three (3) weeks. Most weeks, the jury will sit four days per week, from approximately 10:00 a.m. to 5:00 p.m. We will not sit on Fridays. Jurors will be paid an attendance fee of \$40 per day, and transportation costs will be reimbursed.

Jury service is one of the highest duties and privileges of a United States citizen. The participation of people like yourself is essential to the proper administration of justice. The Court recognizes that not everyone can serve on a case of this length. However, mere inconvenience or the usual financial hardships of jury

Juror No. _____

service will not be enough to excuse you from service. You must show that service as a juror in this case would cause an unacceptable personal hardship.

96. Would you have a serious hardship if chosen for this case?

Yes _____ No _____

If yes, please explain. _____

97. Do you have any problem with your hearing or vision, or do you have any other medical condition that would interfere with your service as a juror?

Yes _____ No _____

If yes, please explain the condition, and how it would interfere. _____

98. Are you taking any medication that may interfere in any way with your ability to concentrate or to serve as a juror?

Yes _____ No _____

If yes, please explain how the medication would interfere. _____

99. Is there anything else that you want to bring to the attention of the Court or that you think the Court or the lawyers should know about you that may affect your jury service in this case, or that may influence your ability to fairly and impartially judge the evidence in this case and to apply the law as instructed by the Court?

Yes _____ No _____

If yes, please explain. _____

100. Is there anything you would prefer to discuss privately with the judge?

Yes _____ No _____

Juror No. _____

AFFIRMATION

I, _____, hereby declare under penalty of perjury that the foregoing answers set forth in this Jury Questionnaire are true and correct to the best of my knowledge and belief. I have not discussed my answers with others or received assistance in completing the questionnaire. I have answered all of the above questions in this Jury Questionnaire myself.

Executed in the Eastern District of Virginia, on this ____ day of October, 2005.

Signature

**United States v. Al-Timimi:
Jury Questionnaire**

Hon. Leonie M. Brinkema
Eastern District of Virginia
March 28, 2005

The following questionnaire was prepared by the Eastern District of Virginia's United States District Judge Leonie M. Brinkema to to facilitate jury selection in a prosecution for terrorism, *United States v. Al-Timimi*, No. 1:04-cr-385 (E.D. Va. Sept. 23, 2004).

Jury Questionnaire

Questions

Juror No. _____

1. Name: _____
2. Indicate the city or county of your current residence.
City: _____ County: _____
3. Length of time at current address: _____
4. Are you: Male _____ Female _____
5. How old are you? _____
6. In what country were you born? _____
7. How long have you lived in Northern Virginia? _____
8. Is English your first language? Yes _____ No _____
9. If English is not your first language, do you have any difficulty reading, writing, speaking, or understanding English?
Yes _____ No _____
10. Please indicate your present marital status.
_____ Married
_____ Single (never married)
_____ Widowed
_____ Separated or Divorced

Juror No. _____

11. Are you, your spouse, or former spouse a naturalized U.S. citizen? For this and all of the following questions, the definition of "spouse" includes the husband or wife of a married individual and the significant other or domestic partner of an unmarried individual.

Yes _____ No _____

12. Are you employed? Yes _____ No _____

(a) If employed, what is your current occupation/job title? _____

(b) How long have you held this job? _____

(c) Name of employer: _____

13. If you are unemployed, are you:

_____ a student _____ between jobs _____ disabled

_____ a homemaker _____ retired

(a) If you are a student, where do you attend school? _____

(b) If retired or between jobs, what type of work had you been doing? _____

Do you have a second job? Yes _____ No _____

If yes, what do you do? _____

15. Is your spouse employed outside the home?

Yes _____ No _____ Do not have a spouse _____

(a) If employed, what is his or her current occupation/job title?

(b) How long has he or she held this job? _____

16. Check the highest level of education for you and your spouse.

	You	Spouse
Grade school or less	_____	_____
Some high school	_____	_____
High school graduate	_____	_____
Technical or business school	_____	_____
Some college	_____	_____
College degree	_____	_____
Graduate degree (and describe area)	_____	_____
Area: _____		

Juror No. _____

17. Do you or your spouse have any education, training, work experience, or special expertise in (check all that apply):

	You	Spouse
(a) Aerospace technology (NASA or related programs)	_____	_____
(b) Criminal justice, law enforcement	_____	_____
(c) Firearms, explosives	_____	_____
(d) History, political science	_____	_____
(e) Journalism, media	_____	_____
(f) Law	_____	_____
(g) Military, military history	_____	_____
(h) Religion or philosophy	_____	_____

If yes, please list and describe the training, experiences, or expertise.

18. Do you speak Arabic or Urdu (or any dialect of Arabic or Urdu), or did you grow up in households where the Arabic or Urdu language or any of their dialects were spoken?

Yes _____ No _____

(a) If you speak, read, or understand the Arabic or Urdu languages (or any of their dialects), would you have any difficulty relying solely upon the official interpreter's translation of testimony and witnesses' translations of Arabic or Urdu language evidence?

Yes _____ No _____

(b) Do you read any Arabic or Urdu language newspapers or publications?

Yes _____ No _____

If so, please list the Arabic or Urdu language newspapers or publications.

19. Do you watch any Arabic language television programs, including newscasts?

Yes _____ No _____

If yes, please list these programs/newscasts. _____

20. The defendant in this case is of Arabic or Middle Eastern descent. Are you, your spouse, or any of your immediate family or close personal friends of Arabic or Middle Eastern descent?

Yes _____ No _____

Juror No. _____

21. Do you have an opinion regarding establishing Shariah (Islamic law) in the United States?

Yes _____ No _____

If yes, please explain. _____

22. Have you, your spouse, or any immediate family member or close personal friend had any contact or dealings with Dar al Arqam Islamic Center, also known as the Center for Islamic Information and Education, located in Falls Church, Virginia?

Yes _____ No _____

If yes, please explain. _____

23. Is there anything about a case in which a defendant or witnesses are Muslim (which means they practice Islam) that would make it hard for you to serve as a fair and impartial juror?

Yes _____ No _____

If yes, please explain. _____

24. Do you know anyone who is currently, or was within the past four years, either an employee of or a student in the philosophy or computational biology departments at George Mason University or an employee of SRA International?

Yes _____ No _____

If yes, please explain. _____

25. Do you have regular access to the Internet? Yes _____ No _____

If yes, how often do you access the Internet? _____

Juror No. _____

26. Have you, your spouse, or any member of your immediate family ever served in the armed forces?

Yes _____ No _____

(a) If yes, please answer the following:

	You	Spouse	Family Member
Branch and highest rank	_____	_____	_____
Dates of service	_____	_____	_____
Type of discharge	_____	_____	_____

(b) Were you, your spouse, or any member of your immediate family ever involved in a court martial? Yes _____ No _____

If yes, please explain. _____

27. If you or any member of your immediate family served in the military, were you or they ever in a combat situation?

Yes _____ No _____

If yes, please state where and when. _____

28. Have you, your spouse, or any immediate family member or close personal friend lived, worked, or traveled in any of the following countries, or are they currently living, working, or traveling there: Saudi Arabia, Bosnia, Afghanistan, Iraq, Iran, Pakistan, India, Chechnya, Israel, Palestine, or Kashmir?

Yes _____ No _____

If yes, please explain where and when. _____

29. Have you, your spouse, or any immediate family member or close personal friend been injured or killed while serving in a combat or a military zone in Iraq, Afghanistan, or elsewhere in the Middle East?

Yes _____ No _____

If yes, please explain. _____

Juror No. _____

30. Do you, your spouse, or any immediate family member or close personal friend know anyone who was a victim or the immediate family member of a victim of a terrorist attack that occurred in the United States or anywhere abroad?

Yes _____ No _____

If yes, please explain. _____

31. Have you, your spouse, or any immediate family member or close personal friend altered any travel plans as a result of the events of September 11, 2001?

Yes _____ No _____

If yes, please explain. _____

32. Did you, your spouse, or any immediate family member or close personal friend assist or participate in any way in rescue or relief efforts, or advocacy efforts for victims, after any terrorist attack occurring in the United States, including the September 11, 2001, attacks on the Pentagon and the World Trade Center in New York, or anywhere else abroad?

Yes _____ No _____

If yes, please explain. _____

33. Have you, your spouse, or any immediate family member or close personal friend been to "Ground Zero," the site of the World Trade Center, since September 11, 2001, or participated in any ceremony or special event honoring any of the victims of the September 11, 2001, attacks?

Yes _____ No _____

If yes, please explain. _____

Juror No. _____

34. Have you, your spouse, or any immediate family member or close personal friend applied for employment with, been employed by, or volunteered with any of the following organizations or agencies? (Check all that apply.)

	You	Spouse	Family/ Friend
(a) Any law enforcement agency (such as a police department; sheriff's office; FBI; DEA; ATF; U.S. Marshal's Service; U.S. Park Police; Justice Department; a District, Commonwealth or State's Attorney's Office; a parole office; a probation office; Bureau of Prisons; military police; private security police)?	_____	_____	_____
(b) Any local, state, or national security or self defense agency (including the Department of Homeland Security)?	_____	_____	_____
(c) Any military or civilian intelligence agency (such as CIA)?	_____	_____	_____
(d) Office of any member of the U.S. Congress (U.S. Senate or House of Representatives, including Congressional subcommittee experience)?	_____	_____	_____
(e) The White House or the Office of the President?	_____	_____	_____

If yes, please explain. _____

35. Do you, your spouse, or any immediate family member or close personal friend own or have experience with firearms or participate in any activity using firearms?

Yes _____ No _____

If yes, what type and for what purpose? _____

Juror No. _____

36. Do you or any member of your immediate family or a close personal friend participate in or have any experience with paint ball?

Yes _____ No _____

If yes, please describe. _____

37. Have you read or heard any news coverage or received information from any other source regarding a “Virginia jihad”?

Yes _____ No _____

If yes, please describe what you have read or heard and from what source.

38. Have you read or heard any news coverage or received information from any other source about a criminal case in Northern Virginia described as the “Virginia paint ball” case?

Yes _____ No _____

If yes, please describe what you have read or heard and from what source.

39. Do you know anyone who was a defendant, witness, lawyer, investigator, or otherwise involved or associated in any way with a criminal case in Northern Virginia described as the “the Virginia Jihad” case or the “Virginia paint ball” case?

Yes _____ No _____

If yes, please explain. _____

40. What is your reaction or opinion toward persons living in the United States who choose to associate with groups or organizations, including religious groups and organizations, that discuss or advocate the use of violence as a means to protest or to express their opposition to the United States government’s policies?

Juror No. _____

41. Is there anything in particular about a case involving charges related to potential acts of terrorism that would make it difficult for you to serve as a fair and impartial juror in such a case?

Yes ____ No ____

If yes, please explain. _____

42. The Government is represented in this case by the United States Attorney, Paul J. McNulty, though the conduct of the case is in the immediate charge of the Government attorneys appearing in the courtroom. To your knowledge, do you, your spouse, or any immediate family member or close personal friend know or have any connection with Paul J. McNulty or with any of the following persons who will be seated at the counsel table for the government?

Paul J. McNulty, United States Attorney Yes ____ No ____

Gordon D. Kromberg, Assistant United States Attorney Yes ____ No ____

John T. Gibbs, Trial Attorney, U.S. Department of Justice Yes ____ No ____

John Wyman, Special Agent, Federal Bureau of Investigation Yes ____ No ____

Wade Ammerman, Special Agent, Federal Bureau of Investigation Yes ____ No ____

(a) If yes, please explain. _____

(b) Have you seen, heard, or read anything about any of these individuals? This includes not only through the media, but anything you may have heard from friends, relatives, or co-workers.

Yes ____ No ____

If yes, please describe what you have seen, read, or heard and from what source. _____

Juror No. _____

43. Do you, your spouse, or any immediate family member or close personal friend know or have any connection with the defendant, Dr. Ali al-Timimi, or any member of his family, including his father Mr. Mehdi al-Timimi, a retired diplomat from Iraq, who also served as a consultant to embassies and law firms, and his mother Dr. Sahera al-Timimi, who is employed by the District of Columbia Department of Mental Health and teaches at the University of the District of Columbia?

Yes _____ No _____

If yes, what connection do you/they have with Dr. al-Timimi or his family?

44. Dr. al-Timimi, is a U.S. citizen, a resident of northern Virginia, and was a Ph.D. candidate at George Mason University during the course of the criminal investigation preceding his indictment on these charges. Dr. al-Timimi is an Islamic scholar and was a lecturer at Dar al Arqam Islamic Center, also known as the Center for Islamic Education and Information located in Falls Church, Virginia. Have you seen, heard, or read anything about the defendant? This includes not only through the media, but anything you may have heard from friends, relatives, or co-workers.

(a) If yes, please describe what you have seen, read, or heard and from what source. _____

(b) If yes, has this left you with any impression about the innocence or guilt of Dr. al-Timimi?

Yes _____ No _____

If yes, please explain. _____

Juror No. _____

45. The defendant, Dr. al-Timimi, is represented by two lawyers: Edward B. MacMahon, Jr., whose office is in Middleburg, VA, and Alan H. Yamamoto, whose office is in Alexandria, VA.

(a) To your knowledge, do you, your spouse, or any immediate family member or close personal friend know or have any connection with either lawyer or his staff?

Edward B. MacMahon, Jr. Yes _____ No _____
Alan H. Yamamoto Yes _____ No _____

(b) If you answered "yes" for either individual, describe the connection. _____

(c) Have you seen, heard, or read anything about either of these attorneys or his staff? This includes not only through the media, but anything you may have heard from friends, relatives, or co-workers.

Yes _____ No _____

(d) If yes, please describe what you have seen, read, or heard and from what source. _____

46. Do you, your spouse, or any immediate family member or close personal friend have any connection with, or have you ever seen, heard, or read anything about, any of the individuals listed below who may be a witness or who may be mentioned at trial?

- | | | |
|---------------------|------------------|-------------------------|
| Mohammed Aatique | Ibrahim al-Hamdi | Yong Kwon |
| Robert Andrews | Haytham Hantash | Mamdouh Mohamed |
| Sabri Benkhala | Khwaja Hasan | Randall Ismail Royer |
| Soliman al-Buthi | Sefer Hawali | Caliph Ibn Abdur-Raheem |
| Charles Butterworth | Jafaar Idris | Hammad Abdur-Raheem |
| Ali Asad Chandia | Masaud Khan | Donald Surratt |
| Seifullah Chapman | Evan Kohlmann | Rashid Thompson |
| Nabil Gharbieh | | |

Yes _____ No _____

(a) If yes, please list the individual's name and explain the connection or what you have seen, read, or heard and from what source. _____

Juror No. _____

47. The judge who will preside over this case is The Honorable Leonie M. Brinkema of the United States District Court for the Eastern District of Virginia. Do you, your spouse, or any immediate family member or close personal friend know or have any connection with Judge Brinkema or any of her staff?

Yes _____ No _____

48. Have you seen, heard, or read anything about this case?

Yes _____ No _____

(a) If yes, please explain what you have seen, heard, or read and from what source. _____

49. Is there anything you have seen, heard, or read about this case that would interfere with your ability to render a fair verdict in this case based solely on the evidence presented in court?

Yes _____ No _____

(a) If yes, please explain what you have seen, heard, or read and from what source. _____

50. Have you formed an opinion as to the innocence or guilt of the defendant, Dr. Ali al-Timimi, in this case?

Yes, I have formed an opinion _____

No, I have not formed an opinion _____

51. This case is likely to receive ongoing media attention. The Court wants to make sure that this case is decided solely on the evidence in the courtroom and not based on things that are said outside the courtroom. Accordingly, the Court will require that you avoid reading about the case in the newspapers or listening to any radio or television reports about the case. The Court will also require that you avoid discussing this case with friends or family during the course of the trial. You will also be required not to use the Internet or any other tool to research any issue raised in this case while you are a juror. Would these requirements pose any difficulty for you?

Yes _____ No _____

Juror No. _____

52. Are you, your spouse, or any immediate family member or close personal friend a member of a neighborhood crime watch or prevention group?

Yes _____ No _____

If yes, please identify the group and describe that participation. _____

53. Are you, or have you ever been, a member of any victim's rights group?

Yes _____ No _____

If yes, please identify the group and describe your participation. _____

54. Have you, your spouse, or any immediate family member or close personal friend ever been charged with a crime or been the subject of a criminal investigation?

Yes _____ No _____

If yes, please explain. _____

55. Have you ever appeared or testified as a witness in any investigation or legal proceeding?

Yes _____ No _____

If yes, please explain. _____

56. Are you, your spouse, or any immediate family member or close personal friend now under subpoena or, to your knowledge, about to be subpoenaed in a criminal case?

Yes _____ No _____

If yes, please explain. _____

Juror No. _____

57. Have you ever been questioned in any matter by the state or local police, any state or local law enforcement agency, or by the Department of Justice or any United States investigative agency such as the Federal Bureau of Investigation (FBI), Drug Enforcement Administration (DEA), Department of Homeland Security, Internal Revenue Service (IRS), or the Bureau of Immigration and Customs Enforcement (BICE)?

Yes _____ No _____

If yes, please explain. _____

58. (a) Have you ever:

- (1) Served as a juror in a civil case? Yes _____ No _____
- (2) Served on a grand jury? Yes _____ No _____
- (3) Served as a juror in a criminal case? Yes _____ No _____
- (4) Been a juror in a case where the jury was unable to reach a verdict? Yes _____ No _____

(b) If you have served on a jury, please list below (1) the approximate year; (2) whether you served in state court or federal court; (3) whether it was a grand jury or a trial jury; (4) what the general nature of the case was (for example, robbery, murder, contract, negligence, medical malpractice, etc.); (5) whether or not a verdict was reached; and (6) if there was a verdict, what it was.

(1) Year	(2) State or Federal Jury	(3) Grand Jury or Trial Jury	(4) Nature of Case	(5) Was There a Verdict?	(6) What Was the Verdict?

If you need additional space to complete this or any other answer, please write "continued," go to the blank pages at the back of the questionnaire, indicate the number of the question, and continue your answer.

Juror No. _____

59. Do you personally, or in connection with your business, have any pending interest in any legal action or dispute with the United States, or any officer, agent, or employee of the United States?

Yes _____ No _____

If yes, please explain the nature of your interest in such proceedings. _____

60. You may hear testimony in this case concerning the use of accomplices or informants by federal authorities in their investigations or through undercover operations. One or more of those individuals may be called to testify in this case, and you may learn that some of these individuals have participated in serious crimes. An accomplice or an informant is a competent witness and a recognized means of law enforcement. You will determine the credibility of these individuals and how much weight to give their testimony. Do you have strongly held feelings against the use of accomplices or informants?

Yes _____ No _____

61. Have you, your spouse, or any immediate family member or close personal friend ever been the victim of a serious crime?

Yes _____ No _____

If yes, please describe. _____

62. Have you ever had a particularly favorable or unfavorable experience with a lawyer or judge? (So memorable that it still stands out in your mind.)

Yes _____ No _____

If yes, please explain. _____

63. Have you, your spouse, or any immediate family member or close personal friend had a particularly favorable or unfavorable experience with law enforcement personnel or an investigating agent? (So memorable that it still stands out in your mind.)

Yes _____ No _____

If yes, please explain. _____

Juror No. _____

64. There may be evidence in this case consisting of tape recordings of conversations taking place over the telephone through the use of electronic devices commonly known as "wiretaps." There may also be evidence obtained by audio tapes which were made by a witness through what is known as a consensual tape recording. A consensual tape recording is a recording in which only one party to the conversation consents to the conversation being tape recorded and the other party did not know the conversation was being taped. The Court will have ruled on whether this wiretap or tape recording is lawfully before you. Consensual tape recordings may occur over the telephone or in face-to-face conversations. Do you have strongly held views regarding the use of such evidence at trial?

Yes _____ No _____

If yes, please explain. _____

65. There may also be evidence obtained from photographic and physical surveillance as well as evidence seized pursuant to lawful searches of various places, including the homes of the defendant and others. Do you have any feelings regarding the use of lawfully conducted surveillance or searches?

Yes _____ No _____

If yes, please explain. _____

66. To your knowledge, have you, your spouse, or any immediate family member or close personal friend ever been the subject of a wiretap or surveillance (visual, photographic, or electronic) by law enforcement or had their car or home searched by law enforcement officers?

Yes _____ No _____

If yes, please explain. _____

67. There may be evidence in this case about the activities of American and/or foreign intelligence agencies. Do you have any strong feelings about American intelligence services or foreign intelligence services?

Yes _____ No _____

If yes, please explain. _____

Juror No. _____

68. What religious affiliations have you ever had? (List in chronological order with your current affiliation first.) _____

69. How often do you attend religious services or engage in activities organized by a religious organization? (Check one category.)

- _____ At least daily
_____ More than once a week
_____ Once a week
_____ A few times a month
_____ A few times a year
_____ Never

70. Have you ever experienced what you believe to be discrimination against you because of your religious beliefs?

Yes _____ No _____

If yes, please explain. _____

71. Do you personally know anyone who is a student of, or practices, the Muslim or Islamic faith?

Yes _____ No _____

If yes, describe your relationship to that person and whether you have discussed that person's faith with him or her. _____

72. Do you have any feelings, positive or negative, about the Muslim or Islamic faith?

Yes _____ No _____

If yes, please describe them. _____

73. How knowledgeable are you about the history or practices of the Muslim or Islamic faith?

- _____ Very knowledgeable
_____ Somewhat knowledgeable
_____ Not too knowledgeable
_____ Not at all knowledgeable

Juror No. _____

74. Have you ever heard of the group Markaz Dawaa al Irshad, or “Lashkar-e-Taiba” or “LET”?

Yes _____ No _____

If yes, please describe what you heard and the source. _____

75. Have you ever heard the word “jihad”?

Yes _____ No _____

If yes, what does it mean to you? _____

76. Have you ever heard the word “mujahideen”?

Yes _____ No _____

If yes, what does it mean to you? _____

77. Have you ever heard the word “Taliban”?

Yes _____ No _____

If yes, what does it mean to you? _____

78. Do you have an opinion regarding the nature of the conflict between India and Pakistan over Kashmir or of the present foreign policy of the United States with respect to this dispute?

Yes _____ No _____

If yes, what is your opinion? _____

79. Do you have an opinion regarding the nature of the conflict in Chechnya or of the present foreign policy of the United States with respect to the conflict in Chechnya?

Yes _____ No _____

If yes, what is your opinion? _____

Juror No. _____

80. What is your opinion regarding the balance between church and state in the United States today? Do you think that:

- _____ Too much consideration of religion is given in matters of government
- _____ Too little consideration of religion is given in matters of government
- _____ About the right consideration of religion is given in matters of government

Please explain. _____

81. Do you believe that the rights and liberties of freedom of speech, freedom of religion, and freedom of association guaranteed by the First Amendment of the U.S. Constitution should ever be limited or restricted for any reason (for example, in time of war)?

Yes _____ No _____

If yes, please explain. _____

82. Do you believe that if the prosecution goes to the trouble of bringing someone to trial, he or she is probably guilty?

Yes _____ No _____ Unsure _____

83. Do you believe that sometimes innocent people are convicted of crimes they did not commit?

Yes _____ No _____ Unsure _____

84. Do you believe that defendants in criminal trials should have to prove that they are innocent?

Yes _____ No _____ Unsure _____

85. Do you believe that the law does too much to protect the rights of criminal defendants and not enough to protect the rights of crime victims and their families?

Yes _____ No _____ Unsure _____

86. Do you believe that if a defendant does not testify at trial he is probably guilty?

Yes _____ No _____ Unsure _____

Juror No. _____

87. Would you evaluate the testimony of a criminal defendant in the same manner as you would the testimony of any other witness?

Yes _____ No _____ Unsure _____

88. Do you tend to believe that a member of law enforcement, such as a police officer or a federal agent, who testifies in court is:

_____ More likely to tell the truth than other witnesses

_____ Less likely to tell the truth than other witnesses

_____ Equally likely to tell the truth as other witnesses

89. At the conclusion of the case it is the Court's task and duty to charge you on the law and explain to you the elements of the crimes charged in the indictment. Do you have personal, religious, philosophical, or other beliefs as to what the law is or should be that would make it difficult for you to follow the instructions of the Court?

Yes _____ No _____

90. Is there anything about the nature of the charges in this case that would affect your ability to fairly evaluate the evidence regarding whether or not the government has proven the guilt of the defendant beyond a reasonable doubt?

Yes _____ No _____

If yes, please explain. _____

91. Is there any reason why you could not be completely fair and impartial to the defendant Dr. al-Timimi or to the Government in this case?

Yes _____ No _____

If yes, please explain. _____

The trial will start on or about April 4, 2005, and will last approximately three weeks. Most weeks, the jury will sit five (5) days per week, from approximately 9:30 a.m. to 6:00 p.m. On Fridays, there may be a shortened trial date. Jurors will be paid an attendance fee of \$40 per day, and transportation costs will be reimbursed.

Jury service is one of the highest duties and privileges of a citizen. The participation of people like yourself is essential to the proper administration of justice. The Court recognizes that not everyone can serve on a case of this length. However, mere inconvenience or the usual financial hardships of jury service will not be enough to excuse you. You must show that service in this case would cause an unacceptable amount of personal hardship.

Juror No. _____

92. Would you have a serious hardship if chosen for this case?

Yes _____ No _____

If yes, please explain the hardship. _____

93. Do you have any problem with your hearing or vision or other medical condition that would make it difficult for you to serve as a juror?

Yes _____ No _____

If yes, please explain. _____

94. Are you taking any medication that may interfere with your ability to concentrate or serve as a juror in any way?

Yes _____ No _____

If yes, please explain how the medication would interfere. _____

95. Do you have any specific problems dealing with stress or pressure?

Yes _____ No _____

If yes, please explain. _____

96. Is there anything else that you want to bring to the attention of the Court or that you think the Court or the lawyers should know about you that may impact your jury service in this case or may influence your ability to fairly and impartially judge the evidence in this case and to apply the law as instructed by the court?

Yes _____ No _____

If yes, please explain. _____

Juror No. _____

A F F I R M A T I O N

I, _____, hereby declare under penalty of perjury that the foregoing answers set forth in this Jury Questionnaire are true and correct to the best of my knowledge and belief. I have not discussed my answers with others, or received assistance in completing the questionnaire. I have answered all of the above questions in this Jury Questionnaire myself.

Executed in the Eastern District of Virginia, on this . day of March, 2005.

Signature

United States v. Koubriti: Preliminary Voir Dire

Hon. Gerald E. Rosen
Eastern District of Michigan
March 18, 2003

The following text was prepared by U.S. District Judge Gerald E. Rosen of the Eastern District of Michigan to address 280 prospective jurors selected for a high-profile prosecution of suspected terrorists in *United States v. Koubriti*, No. 2:01-cr-80778 (E.D. Mich. Sept. 27, 2001). Judge Rosen adapted these remarks from remarks prepared for another case by U.S. District Judge Michael Mukasey of the Southern District of New York, who retired in 2006.

Preliminary Voir Dire

Good morning, ladies and gentlemen. I'm Judge Gerald Rosen, and we're here this morning to begin the process of picking a jury in a criminal case. Our purpose today and in the coming weeks is to pick a jury of citizens who can listen to the evidence in this case and decide the case based only on the evidence presented here in court and on my instructions as to the law.

The case is one that some of you—perhaps many of you—have heard about or read about. The defendants in this case are charged with participating in a conspiracy to provide support for various terrorist activities both here in the United States and abroad, as well as several counts of document fraud. I will have more to say about the charges in a moment.

We are not trying to find people for this jury who have never heard of this case or of these charges. We are not even trying to find jurors who have never held or expressed an opinion about these charges or about matters related to them. We are trying to find jurors who—regardless of what they have seen or heard, and even regardless of what they have thought or said—can understand that their job as jurors is to decide this case based only on the evidence presented here in court, to apply only the legal rules that I explain and no others, and by applying those rules to that evidence, to determine whether or not each defendant's guilt has been proved beyond a reasonable doubt. In other words, we are looking for people who can serve as fair, objective, and impartial jurors.

We are going to use the following procedure for jury selection: After I finish these preliminary remarks, which should take about 30 minutes, each of you will be given a questionnaire that contains certain questions for you to answer that will help us—the lawyers for the parties and me—to decide whether you can serve on this jury. As I will explain in more detail later on, after you finish filling out the questionnaire today you will submit it and go home, and then return on Tuesday, March 18, at which time some of you will be asked additional questions in person. We will use this process to get a panel of about 75 jurors. In addition to coming back on March 18, you may be asked to come back once or twice more during this selection process. From among this panel of 75 or so, the parties

will select 16 of you to serve as jurors and alternate jurors who will hear and decide the case. I hope, if everything goes smoothly, that we can get started with the trial itself later that week or early the following week.

The questions on the questionnaire and those we will ask in person ask certain facts about you and members of your family—whether you and any family members or close friends have any connection with the people or events underlying this case, whether you have opinions on certain subjects, and other matters, including how you are employed. I hope you understand that this is not an attempt to pry into your private life, but simply a way of helping all of us determine who can serve on this jury.

Before you are given the questionnaire to fill out, there are a few things I should explain about the case. The first is the charges, which are contained in an indictment voted by a grand jury. An indictment is simply the document that contains the charges that the government is required to prove beyond a reasonable doubt, and, thereby, informs people of the charges against them so that they may defend themselves. In other words, it is the way that the government brings into court people whom the government claims have violated the law. That is the only function of an indictment in a criminal case. An indictment itself is not evidence of the guilt of any defendant. An indictment does not change in any way the presumption of innocence that the law gives every accused person at the start of a trial, a presumption that stays with the defendant throughout the trial unless and until the jury finds, in accordance with legal rules described by the court, that each and every element of a charge has been proven beyond a reasonable doubt.

The indictment in this case has four separate “counts” or charges. Count 1 charges the defendants with participating in a conspiracy (which is simply a legal term for an unlawful agreement) to provide material support and resources to terrorists. In this charge, the government alleges that the object of the conspiracy was, among other things, to provide false documentation and identification materials, personnel, indoctrination, recruitment and training, target data collection, weapons, and other assistance for the purpose of engaging in violent attacks against persons and buildings within the United States and overseas—in Jordan and Turkey. Counts 2, 3, and 4 charge the defendants with conspiring and engaging in fraud and misuse of visas and other permits by obtaining and attempting to obtain false travel documents, passports, resident alien cards, social security cards, and drivers licenses for the purpose of disguising their own and other persons’ true identities.

As you can see from the description of the charges, this is a case in which people are charged with agreeing to commit criminal acts and with committing criminal acts. No one here is charged simply with having opinions or expressing ideas, neither of which is a crime in this country.

Further, none of the defendants here is charged with being involved with the events of September 11, 2001.

Each defendant, by entering a plea of not guilty in this case, has denied each of these charges, and the government has the obligation to prove the charges beyond a reasonable doubt.

I have just summarized these charges in a general way not for the purpose of describing what is necessary to prove them. The only purpose of summarizing

the charges at this point is so that you can understand the reasons for some of the questions you will be asked to answer on the questionnaire and later on during the jury selection process.

Now that I have summarized the charges, I will introduce the lawyers who will be participating in the trial of this case. The government is represented in this case, as it is in all cases in which the government is a party before this court, by the United States Attorney for the Eastern District of Michigan. This case will be presented by Assistant United States Attorneys Richard Convertino and Keith Corbett.

I will now introduce the defendants' lawyers and tell you who each lawyer represents. You will notice that some defendants may be represented by more than one lawyer, and you should draw no conclusion from that fact. The question of whether one or more lawyers represent a defendant is simply a matter of convenience and efficiency and should not concern you. The first defendant named in the indictment is Karim Koubriti. Mr. Koubriti is represented by Leroy Soles, Richard Helfrick, and James Gerometta. The next defendant is Ahmed Hannan. Mr. Hannan is represented by James Thomas. The third defendant is Abdel-Ilah Elmardoudi. He is represented by William Swor. The last defendant is Farouk Ali-Haimoud. He is represented by Robert Morgan.

Obviously, when you hear a lot of names and see a lot of faces, it is difficult at first to keep everyone straight. But, I can assure you that as the trial progresses you will have no difficulty keeping everyone's identity straight.

Now that I have introduced the parties and their lawyers, I should tell you a couple of additional facts about the case that may help you fill out the questionnaire and help you understand how the privacy of jurors can and will be preserved in a case like this in which there has been a good deal of public interest. Some of you may have heard or read about jurors being sequestered. The jury in this will not be sequestered. The jurors will go home every night. However, the names and addresses and other identifying information about jurors, such as their place of employment, will not be disclosed to anyone other than the jury clerk who will send each juror his or her check for jury service. That is to ensure that the privacy of jurors is preserved and that you are not contacted by the press or by others who may be curious about the case and want to talk to you about it. In addition, jurors will be picked up each morning by deputy U.S. Marshals at a convenient meeting place, or perhaps at several different places, and driven to the courthouse. While the jury is in the courthouse its members will remain with the marshals and will take their coffee breaks and meals together. Coffee and other refreshments, and lunch, will be provided by the court during the day for the jurors. In the evening, the jurors will be driven from the courthouse by the marshals back to a convenient drop-off point, or perhaps several drop-off points, and will make their way home. The jury will hear evidence in the case four days a week: Monday through Wednesday and Friday, at least initially. The jury will have Thursday off. I do not believe it will be necessary for us to go to a five-day-a-week schedule, but I can't promise that.

Perhaps I should say a few words about the security procedures in this case. When you came to the courthouse this morning you may have noticed that there are marshals and other security people posted inside and outside. The security

people are here simply to ensure that whatever people's opinions or feelings may be about this case, they will not cause disruption of the trial, and that the jury can proceed in an orderly way to hear the evidence and decide the case based only on the evidence and on my instructions as to the law.

I am sure you are wondering how long the trial will take. Actually, I am wondering the same thing. It is not possible to predict with great accuracy how long it will take, but the best estimate I can make—and it is only an estimate—is that it will take between four and six weeks. I know that sounds like a long time, and there may be some of you who simply cannot take that amount of time to hear a case, even four days a week. I will discuss that later. But please understand that the lawyers and the court will do everything we can to present the case as quickly as possible, consistent with giving everyone here, both the defendants and the government, a fair trial. I should also tell you that after 30 days of trial, the jury fee you receive goes from \$40 per day to \$50 per day, so there is some slight additional compensation in a longer trial such as this. In addition, jurors will be paid their mileage—36¢ per mile—from your home to court and back.

You should also know that no one who is employed need be concerned about how their employer might react to their service on a jury during a lengthy trial. Most employers I think are pretty good and understanding about that, but in any event there is a federal statute that forbids any discrimination of any kind against anyone on account of jury service. I have made sure in the past that that statute was scrupulously observed by the employers of jurors who have served in this court, and you have my word that I will do so in this case. So you will not lose seniority or any other employment right as a result of your jury service. Although that statute does not require that an employer pay a person his or her salary during jury service, it does require that any employer who has a policy of paying employees during jury service continue to apply that policy.

During the trial, those who serve on the jury will have to agree not to read any of the newspaper or magazine reports about the case or to watch or listen to any radio or television news report about the case. This includes, of course, the Internet. I will discuss the reasons for that in greater detail later during and after the jury selection, but you can probably figure out the reasons for that yourselves. Those who are selected to serve on the jury will take an oath to decide the case based only on the evidence presented in court. There are two parts to that. First, it is the jurors who must decide the case for themselves, and second, they must do so based only on evidence received in court. If jurors read and are influenced by news reports about the case, in effect they are surrendering their responsibility to news reporters or to people whose comments the reporters quote in the newspapers or on radio or television. Reporters frequently highlight only what is interesting and easy to understand. As you probably realize, not everything that is interesting and easy is necessarily important, and not everything that is important is necessarily interesting or easy. I believe most reporters try their best to “get it right.” But even when reporters try in good faith to get facts correct they are often working in a hurry with partial information, and they do not have an unlimited amount of space or time to explain the facts. To put it simply, even when media representatives try their best, they may not get it right or complete. And,

we do not want media reports—or anything else—to taint jurors' views about the case.

Also, people may be quoted in news reports who have an interest in having the case come out one way or the other, and those people may say things they hope will influence public opinion one way or the other. People with an interest in having the case come out one way or the other naturally will say what they think helps the side they want to help, and they will avoid discussing anything they think does not help their side. Needless to say, such statements are not evidence and cannot be considered by you. If a juror is influenced by statements in press reports, which are not evidence and which the parties to this case do not have a chance to rebut or explain, then the juror is not being true to his or her oath to decide the case for himself or herself, and to decide it based on the evidence and not based on news reports. That is just a summary of the reasons why we do not want jurors being influenced by news reports, and the easiest way not to be influenced by news reports is not to see or hear them. Therefore, because you are now a prospective juror, please begin following this instruction today!

I am also instructing you that beginning today and on future days not to talk to anyone, including family and friends, about this case, and particularly not to reporters if they try to question you about it. Obviously I am also instructing the reporters not to try to question jurors or potential jurors because that could simply disqualify those jurors from service and would be interfering with the process of selecting a jury in this case. But although you will not be able to read about this case or hear about it from news reports, you should know that we will make available to the jurors at the courthouse the local daily newspapers with the stories about this case deleted, so you will be able to keep up with sports and with other important things.

I am almost done with these preliminary remarks and I thank you for your attention. A moment ago when I mentioned the projected length of the trial some of you looked uncomfortable. Others may feel that they would have difficulty serving because of the nature of the charges. I want to assure you that no one is going to be forced to serve on this jury who should not sit because he or she really cannot decide the case based only on the evidence but rather would be influenced by other considerations, or who cannot sit because that person simply cannot afford the time away from business or other pressing matters. That is part of what we will be trying to find out through the questionnaire. But I hope when you answer the questions on that questionnaire you will keep the following in mind: If you, or someone close to you, were accused of a crime, or were the victim of a crime, or were simply involved in an accident or some other event that caused a lawsuit, you would expect a group of your fellow citizens to put aside their beliefs and prejudices, and their other activities, for whatever time it took to hear your case; and you would have every reason to expect that, because it is your right in this country to expect it. The people involved in this case have a right to expect that as well. Also, each of you took an oath before we started that you would give truthful answers to all questions put to you touching upon your qualifications to serve as jurors. Everything that happens in this building—indeed, in both our civil and criminal justice system—depends on people taking oaths seriously. No witness is allowed to testify until the witness takes an oath.

Each of these lawyers took an oath before that lawyer was permitted to practice law, and a separate oath to practice in this court. I had to take an oath before I assumed my responsibilities as a federal judge. Your oath is no less important than the oaths of others who participate in this trial, and it applies to the questions on the questionnaire.

Just a few more words about the questionnaire. The form is about 25 pages long. Most of the questions are “Yes/No” questions, so you won’t have to sit and write any long answers. There are a few questions I should call to your attention. First, there is question 13, which asks for the city or township where you live and the city and state where you grew up. We are asking for the city or township and state only. Please do not put down the name of a village within a township, if you do live in a village. Again, just the township, not the village. Similarly, in questions 27 and 33 through 36, which ask questions about your education and employment, do not give the name of any schools or the names of any employers. Simply answer by way of the type of school and a description of your job.

As I mentioned, no one but the jury clerk will know the identity of the jurors. Each of you has been given a juror number. That number should go on the form in the designated space. Please do not put your name anywhere on the form. The only person who has a list of the names corresponding to the numbers you have is the jury clerk who will issue the checks to the jurors for their jury service, so the lawyers and others who will get copies of the questionnaire to review will not know the name or other identifying information about jurors. And, when you return here on March 18, do not wear anything with your monogram on it and do not bring with you any magazines with address labels on them or any books with your names or addresses on them. You should also remember to address each other by your first names only. Our goal in giving you these instructions is to protect your rights of privacy.

After you have finished filling out the questionnaire, you may give it to the clerk, who will make sure that it is complete and that your number appears in the proper place. You may then go home. We will ask you to return on March 18 to the jury room. You will then be told whether you will be asked any further questions as part of the remainder of the jury selection process. Those who are to be questioned further will meet with me and the lawyers and the defendants in my courtroom. After that we will pick about 45 jurors at random, and they may be asked some additional questions. From this group we will select the 16 jurors who will hear and decide this case.

Importance of Jury Service

I will now turn this over to the jury clerks who will hand out the questionnaires. When you are done, you will turn your questionnaire in to one of the clerks who will review the form to make sure it is complete. You are then free to leave.

Once again, thank you for your attention. Have a pleasant day and a safe trip home.

United States v. Koubriti: Jury Questionnaire

Hon. Gerald E. Rosen
Eastern District of Michigan
March 18, 2003

The following questionnaire was prepared to facilitate jury selection in a high-profile prosecution of suspected terrorists, *United States v. Koubriti*, No. 2:01-cr-80778 (E.D. Mich. Sept. 27, 2001).

Cover Letter

21 February 2003

Dear Jurors,

The furnishing of information on this questionnaire is designed to expedite the jury-selection process in this case. If you have any inquiries concerning any particular question, please ask the Court and it will be explained to you. Most of the questions ask you to simply answer “yes” or “no” and sometimes to explain your answers further in the space provided. If you need more space to answer the question, use the blank “Explanation Sheet” at the end of the questionnaire.

The Court is aware that some of the questions contained in this questionnaire are of a somewhat personal nature. Nonetheless, the Court must ensure that the jury that hears this case can be completely fair to both sides and that both sides have sufficient information about each juror’s background and experiences that they can feel comfortable that a fair and impartial jury will hear this case. Please be completely frank and candid in responding to this questionnaire. **Please do not discuss the questionnaire or your answers, or any issues raised by the questionnaire, with anyone, including family members or friends.** It is very important that the answers be yours and yours alone. Remember that there are no “right” or “wrong” answers—only truthful answers. *You are sworn to give true and complete answers to all questions.*

Your answers will not become public and, indeed, the Court and parties will not even know your name. Selecting an anonymous jury is not an unusual practice and has been followed in many cases in Federal Court. Anonymity will ward off curiosity that might infringe on a juror’s privacy. **Please write only your juror number, and not your name, on the first page of the questionnaire.**

I appreciate your time and dedication in assisting the Court in the administration of justice.

Gerald E. Rosen
United States District Judge

United States v. Koubriti: Jury Questionnaire

4. (a) Do you or does any relative or close friend of yours know or have any connection with any of the defendants?

Karim Koubriti	_____	Yes	_____	No
Ahmed Hannan	_____	Yes	_____	No
Abdel-Ilah Elmardoudi				
a/k/a Abdella				
a/k/a Nassim Hillali				
a/k/a Hussein Mohsen Safiddine				
a/k/a Abdelilah El Mardoudi				
a/k/a Abdell Illah Naji				
a/k/a Nelson R. Feliciano				
a/k/a Nelson Rafael Feliciano Vargas				
a/k/a Nelson R. Feliciano Vargas				
a/k/a Nelson R. Falecian				
a/k/a Jean Pierre Tardelli				
a/k/a George Labibe				
a/k/a Hussein Mohsen Safiddine				
a/k/a Nabit Hayamm	_____	Yes	_____	No
Farouk Ali-Haimoud				
a/k/a Khalid	_____	Yes	_____	No

- (b) Have you seen, heard, or read anything about any of the defendants?
This includes not only the media, but anything you may have heard from friends, relatives, or co-workers.

_____ Yes _____ No

- (c) If yes, what have you seen, heard, or read? _____

United States v. Koubriti: Jury Questionnaire

5. (a) Do you or any relative or close friend of yours know of, or have any connection with, any of the following defense lawyers or their staffs?

Attorneys

Richard M. Helfrick	_____	Yes	_____	No
Leroy T. Soles	_____	Yes	_____	No
James C. Thomas	_____	Yes	_____	No
Robert M. Morgan	_____	Yes	_____	No
William W. Swor	_____	Yes	_____	No
Kevin S. Ernst	_____	Yes	_____	No
Heather L. Bendure	_____	Yes	_____	No
Stephen T. Rabaut	_____	Yes	_____	No

Private Investigators

David Gentry	_____	Yes	_____	No
Suzanne Zanon	_____	Yes	_____	No
Huntington Research Associates	_____	Yes	_____	No

Interpreters

Nazih Moakiel	_____	Yes	_____	No
Frank Nalu	_____	Yes	_____	No
Alex Daghestani	_____	Yes	_____	No
Elsayed Ibrahim	_____	Yes	_____	No
El Sayed Mostafa	_____	Yes	_____	No
David Habboo	_____	Yes	_____	No
Salim Mansour Habboo	_____	Yes	_____	No
Bassani Shamurad	_____	Yes	_____	No
Access Languages	_____	Yes	_____	No

If you answered "yes" to any of the names above, describe your connection with these individuals: _____

- (b) Have you seen, heard, or read anything about these attorneys or the members of their staffs? This includes not only from the media, but also anything you may have heard from friends, relatives, or co-workers.

_____ Yes _____ No

- (c) If yes, what have you seen, heard, or read? _____

United States v. Koubriti: Jury Questionnaire

6. (a) Do you or any relative or close friend of yours know of or have any connection with any of the individuals listed on "Attachment A" [omitted] who may be a witness or who may be mentioned at trial?

_____ Yes _____ No

- (b) If you have any such connection with any of the individuals on Attachment A, please list the individual's name here and explain the connection. (If you need extra space, use the "Explanation Sheet" at the end of this questionnaire.)

- (c) Have you seen, heard, or read anything about these individuals? This includes not only from the media, but also anything you may have heard from friends, relatives, or co-workers.

_____ Yes _____ No

- (d) If yes, what have you seen, heard, or read? _____

7. This case is about allegations of fraud and misuse of visas, permits, and other identification documents, and providing material support or resources to terrorists. Have you read, seen, or heard anything about this case?

_____ Yes _____ No

If yes, what was the source of the information (radio, TV, newspaper, etc.)?

8. If you have seen, heard, or read something about this case, any of the defendants or attorneys, or witnesses, is there anything about what you have heard, seen, or read that would prevent you from rendering a fair and impartial verdict based solely on the evidence presented in court?

_____ Yes _____ No

United States v. Koubriti: Jury Questionnaire

9. The judge who will preside over this case is the Honorable Gerald E. Rosen of the United States District Court for the Eastern District of Michigan. The members of Judge Rosen's staff are: Donna Vinson, Sara Fischer-Hodges, Linda Hylenski, Jim Lewis, and Carol Sapala. Do you or any of your relatives or close friends know or have any connection with Judge Rosen or any of his staff?

_____ Yes _____ No

If yes, please explain. _____

B. Personal and Family Information

10. Your juror number: _____

11. Your age: _____

12. Your sex: _____ Male _____ Female

13. Address information:

- a. City or township where you live: _____
b. Number of years there: _____
c. Do you own _____ rent _____ or live with others? _____
d. City or town and state where you grew up: _____

14. Your present marital status:

_____ Married
_____ Single (never married)
_____ Widowed
_____ Separated or divorced

15. Are you, your spouse, or a former spouse a naturalized U.S. citizen?

_____ Yes _____ No

If yes, please state who and when they became a citizen. _____

16. Where were your parents born?

Mother _____
Father _____

17. Are your parents, in-laws, or grandparents naturalized U.S. citizens?

_____ Yes _____ No

If yes, please state your relationship to each person (e.g., "mother-in-law") and when (if you know) he or she became a citizen. _____

18. Have you ever known anyone from another country who worked in the United States and had to have a green card or permit to continue working here?

_____ Yes _____ No

If yes, please explain. _____

19. Do you have any friends or relatives who live on Riverside in Dearborn, or on Norman Street in Detroit?

_____ Yes _____ No

If yes, who are these friends/relatives? _____

20. (a) How many years have you lived in Southeast Michigan? _____

(b) Have you ever lived outside of the United States? If so, where? _____

21. Do you have children? _____ If yes, state the age of each child.

22. Do you have any physical problems or disabilities involving high blood pressure, hearing or vision loss, stomach ailments, headaches, back, hip or neck problems, or any other health problems that might interfere with your ability to serve as a juror or may cause you difficulty in hearing, seeing, or understanding evidence in a trial? Please explain.

United States v. Koubriti: Jury Questionnaire

(a) Do you have any specific problems dealing with stress or pressure?

_____ Yes _____ No

If yes, please explain. _____

(b) Have you ever had any psychological therapy or counseling?

_____ Yes _____ No

If yes, please explain. _____

(c) Have you ever been under a doctor's care for any of the following:

(1) Mental problems, including mood disorders

_____ Yes _____ No

(2) Alcohol-related problems

_____ Yes _____ No

(3) Drug-related problems

_____ Yes _____ No

If you answered "yes" to 22(c)(1), (2), or (3), please explain. _____

23. Are you taking any medication that might interfere with your ability to serve as a juror? If so, please explain. _____

24. Do you have any difficulty reading or understanding English?

_____ Yes _____ No

25. Do you have a vacation scheduled for which you have prepaid or made a financial commitment? If so, please explain. _____

United States v. Koubriti: Jury Questionnaire

26. How far would you have to travel each day to attend trial?

_____ miles one way.

B. Education

27. What is the highest grade that you completed in school? Circle the appropriate answer:

1-7 8 9 10 11 12

College: 1 yr. 2 yrs. 3 yrs. 4 yrs.

Vocational/technical school: 1 yr. 2 yrs. 3 yrs. 4 yrs.

Graduate/professional school—specify: _____

28. If you did not graduate from high school, did you obtain a G.E.D.?

_____ Yes _____ No

29. If you continued your education beyond high school, what was (were) your major area(s) of study? _____

30. What degrees have you earned? _____

C. Employment

31. Are you the sole source of income for your immediate family?

_____ Yes _____ No

32. If you are *not* employed, are you:

_____ a student:

Where do you attend school? _____

How many days per week? _____

_____ a homemaker

_____ between jobs

_____ disabled

_____ retired

United States v. Koubriti: Jury Questionnaire

33. If you are now employed, please describe your job (do not name your employer):

Job description: _____

Years in this job: _____

34. If you have not been employed with your current employer for more than one year, please describe your last job prior to your current job:

Job description: _____

Years in this previous job: _____

35. If you are married, please describe your spouse's current job:

Job description: _____

Years in this job: _____

36. If you have children who are now employed, please describe their current job(s):

Job description	Years in this job

37. Do you have any relatives or close friends who are employed by Detroit Metropolitan Airport or LSG Sky Chefs ?

_____ Yes

_____ No

If yes, please explain. _____

D. Other Personal/Family Information

38. Have you or any member of your immediate family ever served in the military (including the National Guard and the military reserves)?

_____ Yes _____ No

Please describe the nature of any such military service by you or any member of your immediate family, including the dates of service, branch of the military, rank, and duties. _____

39. If any members of your family are currently in the military, are any of them currently deployed/stationed overseas? If yes, please explain. _____

40. If you or a member of your family served in the military, were they ever in a combat situation?

Yes _____ No _____ Don't know _____

If yes, please state where and when. _____

41. Did you or any member of your family serve in "Desert Storm"? If yes, please explain. _____

42. Do you have any relatives or close friends in the military who are currently or were formerly stationed in Afghanistan or elsewhere in the Middle East?

_____ Yes _____ No

If yes, where is or was that person stationed? _____

43. Have any relatives or close friends been injured or killed while serving in a combat or military zone in Afghanistan or elsewhere in the Middle East?

_____ Yes _____ No

United States v. Koubriti: Jury Questionnaire

44. Have you or any members of your family had any experience in military or civilian intelligence?

_____ Yes _____ No

If yes, please explain. _____

45. Were you or any members of your family ever involved in a court martial?

_____ Yes _____ No

If yes, please explain. _____

46. Do you or did you have family members or close friends who were the victims of terrorism in this country or abroad? If yes, please explain. _____

47. Have you or any relative or close friend of yours been to "Ground Zero," the site of the World Trade Center, since September 11, 2001?

_____ Yes _____ No

48. Have you or anyone close to you altered your travel plans since September 11, 2001?

_____ Yes _____ No

49. Is there anything in particular about a case involving a charge of terrorism that would make it difficult for you to serve as a fair and impartial juror in this case?

_____ Yes _____ No

50. If you answered any of the questions 47 through 49 “yes,” please explain.

E. Media

51. Do you or your family regularly subscribe to any magazines or newspapers?

_____ Yes _____ No

If yes, please list the magazines and newspapers you or your family have subscribed to in the last five years. _____

52. Do you read a newspaper regularly (at least two or three times a week)?

_____ Yes _____ No

If yes, list the names of the newspapers you read and indicate how often you read each newspaper.

Name of paper	Once a week	2–3 times a week	More than 4x a week	Daily	Sunday only

53. Do you regularly read magazines?

_____ Yes _____ No

If so, please list the magazine titles that you read when you have the opportunity. _____

54. What types of books do you like to read? _____

55. List the last three books that you have read. _____

56. What kinds of movies do you like? _____

United States v. Koubriti: Jury Questionnaire

57. Do you watch any television newscasts, including cable newscasts, on a regular basis?

_____ Yes _____ No

If yes, which ones? _____

58. Do you listen to any radio stations on a regular basis?

_____ Yes _____ No

If yes, which ones? _____

59. This case may receive media attention. The Court wants to make sure that this case is decided solely on the evidence presented in the courtroom and not based on things that are said outside the courtroom. Accordingly, the Court will be advising you periodically that you must avoid reading about the case in the newspapers or on the Internet, or listening to any radio or television reports about the case. The Court will also advise you periodically that you must avoid discussing this case with friends or family during the course of the trial. Would these requirements pose any difficulty for you?

_____ Yes _____ No

F. Leisure Activities

60. Do you have any hobbies?

_____ Yes _____ No

If yes, please describe them. _____

61. What activities do you particularly enjoy if you have leisure time available?

62. Do you own or regularly use a computer?

_____ Yes _____ No

If yes:

(a) Explain your use of the computer. _____

(b) What Internet websites do you regularly access? _____

G. Associations/Affiliations

63. Do you belong to a union, professional organization, religious organization, social or fraternal organization or society, or civic club?

_____ Yes _____ No

If so, please state the general nature of any such organization(s) (e.g., union, service club, PTA, etc.). _____

64. Do you have a religious preference?

_____ Yes _____ No

If yes, please state the name of the church, temple, synagogue, mosque, or other religious organization with which you are affiliated. _____

65. How often do you attend religious services? _____

66. Do you participate in other religious activities?

_____ Yes _____ No

If yes, please describe. _____

United States v. Koubriti: Jury Questionnaire

67. Have you ever experienced what you believe to be discrimination against you because of your religious beliefs?

_____ Yes _____ No

If yes, please explain. _____

68. Do you know anyone who practices the Muslim or Islamic faith?

_____ Yes _____ No

69. Do you have any feelings, positive or negative, about the Muslim or Islamic faith? Please explain. _____

70. How knowledgeable are you about the history or practices of the Muslim or Islamic faith?

- _____ very knowledgeable
- _____ somewhat knowledgeable
- _____ not too knowledgeable
- _____ not knowledgeable at all

71. Is there anything about a case where all the defendants are Muslim (which means they practice Islam) that would make it hard for you to serve as a juror?

_____ Yes _____ No

If yes, please explain. _____

72. Have you ever heard the word "Jihad"?

_____ Yes _____ No

If yes, what does it mean to you? _____

73. Do you contribute services or money to any charitable organization? If so, please describe. _____

74. Have you ever contributed money to an organization that opposes immigration, or opposes certain rights to immigrants, or proposes changes to the immigration laws?

_____ Yes _____ No

If yes, please explain. _____

H. Foreign Nationals

75. (a) Do you speak Arabic (or any dialect of Arabic) or did you grow up in households where the Arabic language or any of its dialects were spoken?

_____ Yes _____ No

(b) Do you read any Arabic language newspapers or publications?

_____ Yes _____ No

If yes, please list the Arabic language newspapers or publications. ____

(c) Do you watch any Arabic language television programs, including newscasts?

_____ Yes _____ No

If yes, please list these programs/newscasts. _____

(d) If you speak, read, or understand the Arabic language (or any of its dialects), would you have any difficulty relying upon the official interpreter's translation of testimony and witnesses' translations of Arabic language evidence?

_____ Yes _____ No

(e) What other languages, if any, do you speak or understand? _____

76. Are you familiar with the culture, politics, or economy of any of the countries in the Middle East? If so, please explain. _____

77. The defendants in this case are of Moroccan, Algerian, Arabic, or Middle Eastern descent.

(a) Are you, or any of your relatives or close friends, of Moroccan, Algerian, Arabic, or Middle Eastern descent?

_____ Yes _____ No

(b) Do you work, or have you worked, with persons of Moroccan, Algerian, Arabic, or Middle Eastern descent?

_____ Yes _____ No

(c) Do you socialize with any people of Moroccan, Algerian, Arabic, or Middle Eastern descent?

_____ Yes _____ No

(d) Do you have an initial reaction when learning that a person is of Arabic nationality or Middle Eastern origin ?

_____ Yes _____ No

If you answered "yes" to (a), (b), (c), or (d), please explain. _____

78. Have you had, or do you know of any relative or friend who has had any dealings with the Arab Community Center for Economic and Social Services (ACCESS)?

_____ Yes _____ No

If yes, please explain. _____

United States v. Koubriti: Jury Questionnaire

82. Have you or any close friends or relatives had any education or training in the law?

_____ Yes _____ No

If yes, please explain. _____

83. Have you or any member of your family every worked in any law-related profession (e.g., attorney, paralegal, legal assistant, legal secretary, clerk, etc.)?

_____ Yes _____ No

If yes, please explain. _____

84. Have you ever been employed by, connected with, or applied for a job in law enforcement?

_____ Yes _____ No

If yes, please explain. _____

85. Have any family members every been employed in law enforcement?

_____ Yes _____ No

If yes, please explain. _____

86. Do you know anyone who has been connected with the criminal justice system such as: judges, law clerks, court attendants, court clerks, other types of court personnel, probation officers, or persons connected with any penal institution, jail, or penitentiary?

_____ Yes _____ No

If yes, please explain. _____

87. Do you belong to or associate with any groups that have crime prevention or law enforcement as a goal?

_____ Yes _____ No

If yes, please explain. _____

88. Are you a member or supporter of any group that is either for or against gun control (such as the National Rifle Association)?

_____ Yes _____ No

If yes, please list the organizations. _____

89. Do you or anyone in your house own any firearms?

_____ Yes _____ No

If yes, what type and for what purpose? _____

Note: In the following questions, the Court is not looking to pry into the past history of jurors or their families but wants to be informed as to what experiences each juror (or their loved ones) has gone through in order to determine whether these prior experiences might color the juror's perceptions of how the criminal justice system works. Thus, the following questions must be answered fully and candidly to ensure that the Court, and the parties, can make a proper determination of whether jurors would be particularly suited for this case. Please do not feel embarrassed about any question, because the answers will be strictly confidential.

90. Have you or anyone close to you ever been charged with a crime or been the subject of a criminal investigation?

_____ Yes _____ No

If yes, please explain. _____

91. Have you ever appeared or testified as a witness in any investigation or legal proceeding?

_____ Yes _____ No

If yes, please explain. _____

92. Are you, or anyone close to you, now under subpoena or, to your knowledge, about to be subpoenaed in any criminal case?

_____ Yes _____ No

If yes, please explain. _____

93. Have you ever been questioned in any matter by the state or local police, any state or local law enforcement agency, or by the Department of Justice or an United States investigative agency such as the FBI, Drug Enforcement Administration (DEA), Internal Revenue Service (IRS), Immigration and Naturalization Service (INS), or Customs Service ?

_____ Yes _____ No

If yes, please explain. _____

94. Have you ever been involved in, or do you expect to become involved in, any legal action or dispute with the United States or any agency, officer, or employee of the United States, or have you ever had any financial interest in such a dispute?

_____ Yes _____ No

If yes, please explain. _____

United States v. Koubriti: Jury Questionnaire

95. Have you or has any member of your family or a close friend ever been the victim of crime?

_____ Yes _____ No

If yes, please explain. _____

96. Have you or has any member of your family or a close friend ever had any identification stolen, such as a license, credit card, passport, or visa, or been the victim of “identity theft”?

_____ Yes _____ No

If yes, please explain. _____

97. Have you or has any member of your family or a close friend ever been falsely accused of anything?

_____ Yes _____ No

If yes, please explain. _____

98. Do you tend to believe that a member of law enforcement, such as a police officer or a federal agent, who testifies in court is (circle one):

- a. more likely to tell the truth than other witnesses
- b. about as likely to tell the truth as other witnesses
- c. less likely to tell the truth than other witnesses

99. You may hear testimony in this case concerning the use of informants and/or cooperating witnesses by federal authorities in their investigations. One or more of those individuals may be called to testify in this case and you may learn that some of the individuals have participated in various crimes. Do you have any strong feelings about the government using informants and/or cooperating witnesses?

_____ Yes _____ No

If yes, please explain. _____

United States v. Koubriti: Jury Questionnaire

100. There may be evidence in this case about the activities of American and/or foreign intelligence agencies. Do you have any strong feelings about American intelligence services or foreign intelligence services?

_____ Yes _____ No

If yes, please explain. _____

101. There may also be evidence seized pursuant to searches of various places, including the homes of some of the defendants. Do you have any feelings about the use of lawfully conducted searches?

_____ Yes _____ No

If yes, please explain. _____

102. To your knowledge, have you or any close friend or relative ever been the subject of a surveillance (visual, photographic, or electronic) by law enforcement or had their car or home searched by law enforcement officers?

_____ Yes _____ No

If yes, please explain. _____

103. Is there any matter not covered by this questionnaire that you feel you should tell us about?

_____ Yes _____ No

If yes, please explain. _____

Explanation Sheet

United States v. El-Hage: Jury Questionnaire

Hon. Leonard B. Sand
Southern District of New York
January 3, 2001

The following questionnaire was prepared by the Southern District of New York's United States District Judge Leonard B. Sand to facilitate jury selection in the prosecution of Mohammed Odeh, Mohamed al-'Owhali, Wadih el-Hage, and Khalfan Khamis Mohamed for killing American citizens by bombing American embassies in Kenya and Tanzania on August 7, 1998, in *United States v. El-Hage*, No. 1:98-cr-1023 (S.D.N.Y. Sept. 21, 1998).

General Instructions

This questionnaire is designed to help simplify and expedite the jury selection process. Although some of the questions may appear to be of a personal nature, please understand that the Court and the parties must learn enough information about each juror's background and experiences to select a fair and impartial jury.

Please answer all the questions to the best of your ability. If you have any questions, write them on the form. If you do not know the answer to a question, then write, "I don't know." There are no right or wrong answers—only *truthful* answers. Do not discuss the case or your answers with anyone. It is important that the answers be yours alone. Remember, *you are sworn to give true and complete answers to all questions*. After reading your questionnaire, Judge Sand will personally interview you and give you the opportunity to discuss your answers.

During your jury service, the judge and the parties will not know your name. They will know you only by your juror number. Selecting an anonymous jury is not an unusual practice and has been followed in many cases in federal court. Anonymity will deter curiosity that might infringe on your privacy. Accordingly, do not reveal any information in the questionnaire that could be used to identify you, such as your employer's name or your address.

Use *black pen* only. Blue ink will not copy. You may borrow a black pen if necessary.

Write your juror number at the top of this page.

Do not write on the back of any page; only the front pages will be copied. If you need additional space to complete an answer, go to the blank pages at the back of the questionnaire, indicate the number of the question, and continue your answer.

Hardship Question

The Court and the parties estimate that the trial in this case will last approximately nine to twelve months. It is anticipated that the jury will sit four days per week during the bulk of the trial, when evidence is being taken, although the jury will have to be present five days a week during jury selection, opening and closing statements, and deliberations. Thus, for most of the trial jurors will not be re-

United States v. El-Hage: Juror Questionnaire

quired to report on Fridays or holidays. If possible, the court plans to adjourn for a one-week recess in August. In addition, every effort will be made to accommodate special needs of individual jurors. Jurors will be paid an attendance fee of \$40 per day for the first 30 days of trial and \$50 per day thereafter. Lunch will be provided daily, and your transportation costs will be reimbursed.

Jury service is one of the highest duties and privileges of a citizen. The participation of people like yourself is essential to the proper administration of justice. The court recognizes that not everyone can serve on a case of this length. However, mere inconvenience or the usual financial hardships of jury service will not be enough to excuse you. You must show that service in this case would cause an unacceptable amount of personal hardship.

Would you have a serious hardship if chosen for this case?

____ Yes, I would have a *serious* hardship if chosen for this case. Please answer the questions below and *fully* explain your hardship. You must still complete the entire questionnaire.

____ No, I would *not* have a serious hardship if chosen for this case. Please move on to the next section of the questionnaire.

If yes, please explain the hardship and list your current occupation. Describe the type of job and business without giving details of your employer's name or address. For example, simply list "receptionist," "business executive," "school teacher," or "self-employed/freelance." If you are retired or unemployed, please indicate that fact and list your previous occupation. Please write legibly.

Occupation: _____ Your age: _____

Are you self-employed? _____ Are you retired? _____

Will you be paid your salary while you serve jury duty? _____

What is your hardship? _____

Description of the Case

In this case there are four defendants, two of whom face the death penalty. All four defendants are charged in an indictment with having been part of a conspira-

cy to commit various acts of terrorism and with committing certain federal crimes, including murder, attempted murder, the bombing of federal buildings, perjury, and making false statements to federal law enforcement officers. Specifically, the defendants are charged variously with crimes relating to an alleged agreement to kill American citizens, which resulted in the bombings of the United States embassies in Nairobi, Kenya, and Dar es Salam, Tanzania, on August 7, 1998. In the bombing in Tanzania, 11 people were killed and approximately 70 were injured. In the bombing in Kenya, 223 people were killed and thousands of people were injured.

The organization with which the defendants were allegedly associated is called “al-Qaeda,” or the “Base,” which the Government charges was engaged in international terrorism. While other people were allegedly involved, only four defendants are on trial in this case. Each of the accused is entitled to separate consideration, and the case against each person must be decided individually.

The Nature of an Indictment

An indictment is merely an accusation. It is proof of nothing. You may draw no inference against any defendant from the fact that he has been indicted. Each defendant has pleaded “not guilty” to each of the charges against him and is presumed to be innocent. A defendant does not have to prove anything. The government bears the burden of proving the guilt of a defendant beyond a reasonable doubt.

Personal Background

1. What is your age? _____
2. Are you: male _____ female _____
3. Do you have any problem with your hearing or vision that would make it difficult for you to serve as a juror?
Yes _____ No _____
4. Do you have any medical condition that would make it difficult for you to serve as a juror on this case?
Yes _____ No _____
5. Are you taking any prescription medication that may interfere with your ability to concentrate or serve as a juror in any way?
Yes _____ No _____
6. Have you recently been treated for a substance abuse problem (for example, alcohol or illegal or prescription drugs)?
Yes _____ No _____

United States v. El-Hage: Juror Questionnaire

7. What is your place of birth? (Please list only the city and state, and, if outside the United States, the country.)

8. Are you?

Married _____

Single _____

Living with another person as a couple _____

Divorced/Separated _____

Widow/Widower _____

9. What is your ethnic background?

(a) If married, what is the ethnic background of your spouse?

10. What county do you live in? _____

(a) If you live in New York City, what neighborhood do you live in? (For example: Upper West Side, Morrisania, Throgs Neck.) Do not give your address.

(b) If you live in a suburban county, what part of the county do you live in (north or south)?

11. Do you read a newspaper regularly (at least two or three times a week)?

Yes _____ No _____

If yes, list the names of the newspapers you read and indicate how often you read each newspaper.

Name of Newspaper	Once a week	2-3 times a week	More than 4x a week	Daily	Sunday only

12. What magazines or periodicals do you read?

United States v. El-Hage: Juror Questionnaire

13. Do you watch any television newscasts on a regular basis?

Yes _____ No _____

If yes, which ones?

14. Do you listen to any radio stations on a regular basis?

Yes _____ No _____

If yes, which ones?

15. Is English your first language?

Yes _____ No _____

16. What other languages do you speak, read, or understand?

17. Where were your parents born?

Mother _____

Father _____

18. Are you, your spouse, or a former spouse a naturalized U.S. citizen?

Yes _____ No _____

If yes, please tell us who and when the person became a citizen?

19. Are your parents, in-laws, or grandparents naturalized U.S. citizens?

Yes _____ No _____

If yes, please tell us your relationship to that person (for example, “mother-in-law”) and when (if you know) the person became a citizen.

United States v. El-Hage: Juror Questionnaire

20. Do you speak Arabic (or any dialect of Arabic), or did you grow up in households where the Arabic language or any of its dialects were spoken?
Yes _____ No _____
- (a) Do you read any Arabic language newspapers or publications?
Yes _____ No _____
If so, please list the Arabic language newspapers or publications:

- (b) If you speak, read, or understand the Arabic language (or any of its dialects), would you have any difficulty relying solely upon the official interpreter's translation of testimony and witnesses' translations of Arabic language evidence?
Yes _____ No _____
21. Do you speak Swahili (or any dialect of Swahili), or did you grow up in households where the Swahili language or any of its dialects were spoken?
Yes _____ No _____
- (a) Do you read any Swahili language newspapers or publications?
Yes _____ No _____
If so, please list the Swahili language newspapers or publications:

- (b) If you speak, read, or understand the Swahili language (or any of its dialects), would you have any difficulty relying solely upon the official interpreter's translation of testimony and witnesses' translations of Swahili language evidence?
Yes _____ No _____

United States v. El-Hage: Juror Questionnaire

22. Are you: Employed full-time Retired
 Employed part-time Student
 Homemaker Disabled & unable to work
 Unemployed/laid off
- (a) Without telling us the name of your employer, what kind of work do you do? (For example: electric utility, maintenance; teacher, high school.) *Please do not write anything that would reveal your identity.*
- _____
- (b) If retired or unemployed, what type of work had you been doing?
- _____
- (c) If homemaker or student, please tell us what jobs outside the home (if any) you have had in the past:
- _____
23. What is (was) your job title? _____
- (a) What are (were) your duties on that job?
- _____
- (b) Do (did) you supervise others in that job?
Yes _____ No _____
If yes, how many? _____
24. Do you have a second job?
Yes _____ No _____
If yes, what do you do?

25. How many children do you have, if any? _____
26. If your children are in school, what type of school do they attend?
- Public _____
Private _____
Religious _____
Home _____

United States v. El-Hage: Juror Questionnaire

34. List any organizations to which you belong. Please do not write anything that would reveal your identity. (For example, "PTA President," not "PTA President, P.S. 123.")

Please tell us your role in the organization.

35. What charities or organizations have you contributed to in the last five (5) years?

36. Do you have any hobbies?

Yes _____ No _____

If yes, what are they?

37. Do you have any family, relatives, or friends in the military who are currently or were formerly stationed in the Middle East?

Yes _____ No _____

If yes, where is, or was, that person?

38. If you, a family member, or a friend served in the military, was that person ever in a combat situation?

Yes _____ No _____ Don't know _____

If yes, please tell us where and when.

United States v. El-Hage: Juror Questionnaire

39. How closely did you follow the media coverage of the Gulf War?

Very closely _____
Somewhat closely _____
Not too closely _____
Not at all _____

40. (a) How closely did you follow the media coverage of the events in Somalia in 1983?

Very closely _____
Somewhat closely _____
Not too closely _____
Not at all _____

(b) How closely did you follow the media coverage of Somalia after the United Nations and American troops left Somalia?

Very closely _____
Somewhat closely _____
Not too closely _____
Not at all _____

41. (a) How closely have you followed the media coverage of the bombing of the U.S.S. Cole in Yemen?

Very closely _____
Somewhat closely _____
Not too closely _____
Not at all _____

(b) If you have followed the media coverage of this event, based on what you have heard or read, are you of the opinion that the bombing was carried out by any particular group?

Yes _____ No _____

If yes, which group?

42. The government is represented in this case by the United States Attorney, Mary Jo White, though the conduct of the case is in the immediate charge of the government attorneys appearing in the courtroom. Do you or does any relative or friend know or have any connection with Mary Jo White?

Yes _____ No _____

United States v. El-Hage: Juror Questionnaire

43. Do you, or does any relative or friend, know or have any connection with any of the following persons who will be seated at the counsel table for the government?

Assistant United States Attorney Patrick J. Fitzgerald
Assistant United States Attorney Kenneth M. Karas
Assistant United States Attorney Michael J. Garcia
Assistant United States Attorney Paul W. Butler
Assistant United States Attorney Andrew C. McCarthy
Gerard Francisco (Paralegal Specialist, U.S. Attorney's Office)
Lillie Grant (Paralegal Specialist, U.S. Attorney's Office)
Nozomi Maeyama (Records Examiner, U.S. Attorney's Office)

Yes _____ No _____

- (a) Have you seen, heard, or read anything about any of these individuals? This includes not only from the media, but anything you may have heard from friends, relatives, or co-workers.

Yes _____ No _____

- (b) What have you seen, heard, or read?

44. Do you or does any relative or friend know or have an connection with any of the defendants?

Wadih el-Hage	Yes ____ No ____
Mohammed Sadeek Odeh	Yes ____ No ____
Mohamed al-'Owhali	Yes ____ No ____
Khalfan Khamis Mohamed	Yes ____ No ____

- (a) Have you seen, heard, or read anything about any of the defendants? This includes not only from the media, but anything you may have heard from friends, relatives, or co-workers.

Yes _____ No _____

- (b) What have you seen, heard, or read?

United States v. El-Hage: Juror Questionnaire

45. Several individuals have been charged in the indictment in this case but will not be defendants in this trial. Do you, or does any relative or friend, know or have any connection with any of these defendants?

Usama bin Laden	Yes ___ No ___
Muhammed Atef	Yes ___ No ___
Ayman al Zawahiri	Yes ___ No ___
Khalid al Fawwaz	Yes ___ No ___
Ibrahim Eidaous	Yes ___ No ___
Adel Abdel Bary	Yes ___ No ___
Fazul Abdullah Mohammed	Yes ___ No ___
Mustafa Mohamed Fadhil	Yes ___ No ___
Ahmed Khalfan Ghailani	Yes ___ No ___
Fahid Mohammed Ally Msalam	Yes ___ No ___
Mamdouh Mahmud Salim	Yes ___ No ___
Sheikh Ahmed Salim Swedan	Yes ___ No ___

- (a) Have you seen, heard, or read anything about any of these individuals? This includes not only from the media, but anything you may have heard from friends, relatives, or co-workers.

Yes ___ No ___

- (b) What have you seen, heard, or read?

United States v. El-Hage: Juror Questionnaire

46. (a) Do you, or does any relative for friend, know or have any connection with any of the following defense lawyers or their staff?

Attorneys

Sandra A. Babcock	Yes ___ No ___
David P. Baugh	Yes ___ No ___
Frederick Cohn	Yes ___ No ___
Joshua L. Dratel	Yes ___ No ___
Laura K. Gasiorowski	Yes ___ No ___
Carl J. Herman	Yes ___ No ___
Kristian K. Larsen	Yes ___ No ___
Marshall Mintz	Yes ___ No ___
Anthony L. Ricco	Yes ___ No ___
David Ruhnke	Yes ___ No ___
Sam A. Schmidt	Yes ___ No ___
Jeremy Schneider	Yes ___ No ___
David Stern	Yes ___ No ___
Edward D. Wilford	Yes ___ No ___

Staff

Georgia Alikakos	Yes ___ No ___
Diana Barrett	Yes ___ No ___
Elizabeth Besobrasow	Yes ___ No ___
Robert Hirschorn	Yes ___ No ___
Kevin Johnson	Yes ___ No ___
Nadia Kahf	Yes ___ No ___
Katie Tempone	Yes ___ No ___

- (b) Have you seen, heard, or read anything about any of these attorneys or their staff? This includes not only from the media, but anything you may have heard from friends, relatives, or co-workers.

Yes ___ No ___

- (c) What have you seen, heard, or read? _____

47. The judge who will preside over this case is Judge Leonard B. Sand of the United States District Court for the Southern District of New York. Do you, or does any relative or friend, know or have any connection with Judge Sand or any of his staff?

Yes ___ No ___

United States v. El-Hage: Juror Questionnaire

48. Is there any particular news program, magazine, newspaper article, or broadcast about this case, the defendants, or the embassy bombings that has made a lasting impression on you?

Yes _____ No _____

If yes, what was the program, article, or broadcast?

Is there anything you have seen, heard, or read that would interfere with your ability to render a fair verdict in this case based solely on the evidence presented in court?

Yes _____ No _____

49. Before you came to court today, were you aware that the United States embassies in Nairobi, Kenya, and Dar es Salaam, Tanzania, were bombed on August 7, 1998?

Yes _____ No _____

50. This case is likely to receive ongoing media attention. The court wants to make sure that this case is decided solely on the evidence in the courtroom and not based on things that are said outside the courtroom. Accordingly, the court will be advising you periodically that you must avoid reading about the case in the newspapers or listening to any radio or television reports about the case. The court will also advise you periodically that you must avoid discussing this case with friends or family during the course of the trial. Would these requirements pose any difficulty for you?

Yes _____ No _____

Experience with Courts

51. (a) Have you ever:

(i) sat as a juror in a civil case?

Yes _____ No _____

(ii) sat as a grand juror?

Yes _____ No _____

(iii) sat as a juror in a criminal case?

Yes _____ No _____

(b) Have you ever been a juror in a case where the jury was unable to reach a verdict?

Yes _____ No _____

(c) If you have served on a jury, please list below (1) the approximate date(s); (2) whether you served in state court or federal court; (3) whether it was a grand jury or a trial jury; (4) whether it was a criminal case or a civil case; (5) what the general nature of the case was (for example, robbery, murder, contract, negligence, medical malpractice, etc.); and (6) whether or not a verdict was reached. If so, do *not* state what the verdict was.

(1)	(2)	(3)	(4)	(5)	(6)
Date	State or federal	Grand jury or trial jury	Criminal or civil	Nature of case	Was there a verdict?

If you need additional space to complete this or any other answer, please write "continued," go to the blank pages at the back of the questionnaire, indicate the number of the question, and continue your answer.

52. Have you ever been questioned in any matter by the United States Department of Justice, the New York City Police Department, or any investigative agency of the United States, including the Federal Bureau of Investigation, the DEA, the IRS, or any other state or federal investigative agency?

Yes _____ No _____

If yes, please explain the circumstances.

United States v. El-Hage: Juror Questionnaire

53. Have you, or has a family member or close friend, ever been falsely accused of a crime?

Yes _____ No _____

If yes, please explain the circumstances.

54. Have you, any family member, or friend ever worked for any federal, state, or local law enforcement agency? (For example, NYPD, State Police, Sheriff, F.B.I., C.I.A., D.E.A., Probation and Parole, Corrections, U.S. Customs, Secret Service, etc.)

Yes _____ No _____

If yes, please tell us who, what agency, how long, and the highest rank achieved?

55. Have you or a relative or friend ever worked or applied for employment with a federal, state, or local agency?

Yes _____ No _____

If yes, what agency?

56. Do you personally, or in connection with your business, have any pending interest in any legal action or dispute with the United States or any officer, agents, or employees of the United States?

Yes _____ No _____

If yes, please explain the nature of your interest in such proceedings.

57. Are you a vendor or a contractor for the United States government, or do you work for one?

Yes _____ No _____

58. Do you have any difficulty accepting the principle that non-citizens who are charged with a crime in a United States court are entitled to the same rights as United States citizens?

Yes _____ No _____

United States v. El-Hage: Juror Questionnaire

59. Have you ever attended law school?
Yes _____ No _____
60. Do you have any close friends or relatives who are lawyers or who have attended law school?
Yes _____ No _____
61. Do you, or does any relative or friend, work for a criminal lawyer or private investigator?
Yes _____ No _____
62. Do you know anyone who has been connected with the criminal justice system such as judges, law clerks, court attendants, court clerks, other types of court personnel, probation officers, or persons connected with any penal institution, jail, or penitentiary?
Yes _____ No _____
63. Have you or anyone close to you ever been charged with a crime or been the subject of a criminal investigation?
Yes _____ No _____
64. Have you ever appeared or testified as a witness in any investigation or legal proceeding?
Yes _____ No _____
65. Do you believe that you, a member of your family, or a close friend has ever been directly or indirectly affected in any way by a terrorist act or threat?
Yes _____ No _____
66. The court will instruct you that the testimony of a law enforcement officer is entitled to no greater weight or lesser weight than that of any other witness. Do you have any difficulty accepting that statement?
Yes _____ No _____
67. You may hear testimony in this case concerning the use of accomplices or informants by federal authorities in their investigations. One or more of those individuals may be called to testify in this case and you may learn that some of the individuals have participated in serious crimes. The court wishes to advise you that there is nothing illegal or improper about the government using accomplices or informants to investigate a case. Do you have strongly held feelings against the use of informants?
Yes _____ No _____
68. Are you or anyone close to you now under subpoena or, to your knowledge, about to be subpoenaed in any criminal case?
Yes _____ No _____

United States v. El-Hage: Juror Questionnaire

69. Have you, or has a family member or close friend, ever been the victim of a serious crime other than burglary or car theft?

Yes _____ No _____

70. There will be evidence in this case consisting of tape recordings of conversations taking place in given locations or over the telephone, through the use of electronic devices commonly known as “bugs” or “wiretaps.” Before received in evidence, the court will have ruled that this evidence is lawfully before you. Do you have strongly held views against the use of secretly tape-recorded conversations or “wiretaps” or “bugs”?

Yes _____ No _____

71. There may also be evidence obtained from photographic and physical surveillance as well as evidence seized pursuant to searches of various places, including the homes of some of the defendants. Do you have any feelings against the use of lawfully conducted surveillance or searches?

Yes _____ No _____

72. To your knowledge, have you or any close friend or relative ever been the subject of a surveillance (visual, photographic, or electronic) by law enforcement or had a car or home searched by law enforcement officers?

Yes _____ No _____

73. The evidence in this case will include pictures of the bodies of the people who were killed and injured in the embassy bombings in Kenya and Tanzania in 1998 and testimony of people who suffered those injuries. Is there anything about having to view and hear such evidence that would interfere with your ability to arrive at a verdict of guilty or not guilty as to any of the individual defendants?

Yes _____ No _____

If yes, please explain.

Religion

74. What, if any, is your current religious affiliation?

75. What, if any, religion were you raised in?

76. Have you ever experienced what you believe to be discrimination against you because of your religious beliefs?

Yes _____ No _____

If yes, please explain.

77. Do you know anyone who practices the faith of Islam?

Yes _____ No _____

78. How knowledgeable are you about the history and practices of Islam?

Very knowledgeable _____

Somewhat knowledgeable _____

Not too knowledgeable _____

Not knowledgeable at all _____

79. Is there anything about a case where all the defendants are Muslim that would make it hard for you to serve as a juror?

Yes _____ No _____

80. Do you have any strong views against the religion of Islam or its adherents?

Yes _____ No _____

81. Have you ever traveled outside the United States?

Yes _____ No _____

If yes, please explain where and when.

82. Some of the defendants in this case are of Arab, Middle Eastern, and African descent.

(a) Are you, or any relatives or close friends, of Arab, Middle Eastern, or African descent?

Yes _____ No _____

(b) Do you work, or have you worked, with any people of Arab, Middle Eastern, or African descent?

Yes _____ No _____

(c) Do you socialize with any people of Arab, Middle Eastern, or African descent?

Yes _____ No _____

(d) Do you have any negative feelings or opinions about people of Arab, Middle Eastern, or African descent?

Yes _____ No _____

If yes, please explain.

83. Do you believe that there is a law enforcement bias against people of Arabic descent or people of the Islamic faith?

Yes _____ No _____

If yes, please explain.

Potential Punishment

In this case, two of the men on trial—Mohamed al-'Owhali and Khalfan Khamis Mohamed—face a potential sentence of death. In a case where individual jurors may have to consider death as a possible punishment, it is important that we know your thoughts and opinions regarding the death penalty.

If either Mohamed al-'Owhali or Khalfan Khamis Mohamed is found guilty of capital crimes, there will be a second phase of the trial—the penalty phase. The first phase of the trial deals only with evidence on the question of whether or not the government has proved beyond a reasonable doubt the guilt of each of the four defendants. During this stage of the trial, the possibility of punishment must not enter into your deliberations at all.

If the jury determines that either defendant Mohamed al-'Owhali or Khalfan Khamis Mohamed is guilty of murder, the jury's service will not be over. The same jury must also decide whether or not the defendant they are considering is to be sentenced to death or to life imprisonment without possibility of release. That phase of the trial is expected to last three to four weeks.

During the second stage, the government would have the opportunity to introduce evidence as to certain things referred to in the law as aggravating factors, or the circumstances that make the crime particularly serious and therefore that tend to favor the imposition of the death penalty. Mr. al-'Owhali and Mr. Mohamed would have the opportunity at such a hearing to demonstrate to you the existence of what are referred to as mitigating factors, or the circumstances about the crime or about the individual defendant that would suggest that the death penalty is not appropriate in this case.

Before the jury could vote to impose the death penalty, it would have to be persuaded unanimously and beyond a reasonable doubt that the defendant had the requisite state of mind when he engaged in the crime and that at least one of the specific aggravating factors identified by the government exists. Moreover, before a jury could vote to impose the death penalty, it would also have to be persuaded unanimously that the aggravating factors it found to exist outweigh any mitigating factors that one or more jurors found existed. Even if the jury did not find any mitigating factors, it would still have to be persuaded unanimously that the aggravating factor or factors were themselves sufficient to justify a death sentence. Absent such unanimous agreement, a jury could not vote to impose the death penalty.

In sum, a jury is never required to impose a sentence of death upon a defendant. You should know, however, that if the jury does decide to impose the death penalty this court would be required to impose that sentence. Similarly, if you decide to impose life imprisonment without parole—an option that would also be available to you—the court would be required to impose that sentence. In other words, the court could not change your decision.

Obviously, what I have just stated is only an overview of the law applicable to a jury's consideration of the death penalty. If this case were ever to require a sentencing hearing—and remember that each of the defendants is presumed innocent of each of the charges that have been brought against him—the court will instruct the jury in more detail about its duties.

84. Please *circle* the number that best reflects your opinion regarding the death penalty.

Strongly
Oppose

Strongly
Favor

1 2 3 4 5 6 7 8 9 10

United States v. El-Hage: Juror Questionnaire

85. How do you feel about the death penalty? _____

86. In your opinion, is the death penalty in our society: (Circle all that apply.)

- (a) Useful
- (b) Necessary
- (c) Counterproductive
- (d) Inhumane
- (e) Other: Please explain. _____

87. Please circle the answer or answers that best correspond to your views on the death penalty. (You may select more than one.)

- (a) The death penalty should be imposed in *every case* where someone deliberately takes the life of another person.
- (b) While I favor the death penalty, I do believe that there are rare cases where the death penalty should not be imposed even if someone has deliberately murdered another person.
- (c) While I am somewhat in favor of the death penalty, I do not believe it should be used as a punishment for most cases, even where a person has been deliberately murdered.
- (d) I have no views one way or the other on the death penalty.
- (e) While I am somewhat opposed to the death penalty, I do believe that there are many cases where a death sentence should be imposed.
- (f) While I am strongly opposed to the death penalty, I do believe there are some cases where a death sentence should be imposed.
- (g) The death penalty should never be imposed.

88. If the law and the evidence leads to a conclusion that is contrary to your present personal beliefs concerning the death penalty, could you set aside your own views and act in accord with the court's instructions?

Yes _____ No _____ Not Sure _____

Please explain. _____

United States v. El-Hage: Juror Questionnaire

89. If the evidence in this case convinces you that the death penalty is appropriate, could you vote to impose the death penalty?

Yes _____ No _____ Not Sure _____

Please explain. _____

90. Do you believe that the death penalty is sought and imposed unfairly?

Sometimes _____ Always _____ Never _____

Please explain. _____

91. (a) Have you read or heard anything concerning an attack by defendant Khalfan Khamis Mohamed on corrections officers which caused one officer serious injury?

Yes _____ No _____

(b) If you were to learn that such an attack took place and found that Khalfan Khamis Mohamed participated in the attempted murder of a corrections officer, would it alter any of your answers to questions 84 through 90 as to defendant Khalfan Khamis Mohamed?

Yes _____ No _____ Uncertain _____

Conclusion—Miscellaneous Information

92. At the conclusion of the case, it is the court's task and duty to charge you on the law and explain to you the elements of the crimes charged in the indictment. Do you have personal, religious, philosophical, or other beliefs as to what the law is or should be that would make it difficult for you to follow the instructions of the court?

Yes _____ No _____

United States v. El-Hage: Juror Questionnaire

93. Is there anything about the nature of the charges in this case that would affect your ability to fairly evaluate the evidence regarding whether or not the government has proven the guilt of the defendants beyond a reasonable doubt?

Yes _____ No _____

If yes, please explain.

94. Is there any reason that you could not be completely fair and impartial to the defendants in this case?

Yes _____ No _____

95. Is there any reason that you could not be completely fair and impartial to the government in this case?

Yes _____ No _____

If you answered "yes" to question 94 or question 95, please explain.

96. Is there any matter not covered by this questionnaire that you feel you should tell us about?

Yes _____ No _____

If yes, please explain.

Juror Number: _____

Date: _____

United States v. Abdel Rahman: Preliminary Voir Dire

Hon. Michael B. Mukasey
Southern District of New York
January 9, 1995

The following text was prepared by the Southern District of New York's United States District Judge Michael B. Mukasey to address prospective jurors selected for the prosecution of defendants suspected of seditious conspiracy to conduct a campaign of urban terrorism, including participation in the 1993 bombing of the World Trade Center and plans to bomb New York landmarks, in *United States v. Abdel Rahman*, No. 1:93-cr-181 (S.D.N.Y. Mar. 17, 1993).

Preliminary Voir Dire

Good morning, ladies and gentlemen. I am Judge Mukasey, and we are here this morning to pick a jury in a criminal case. Our purpose today and in the coming days is to pick a jury of citizens who can listen to the evidence in this case and decide the case based only on the evidence presented here in court and on my instructions as to the law.

The case is one that many of you—perhaps all of you—have heard about or read about. The defendants in this case are charged with participating in a conspiracy, which is simply the legal term for an unlawful agreement, to commit various acts of violence, including bombing buildings and other structures, as a way of opposing the United States and United States policy in the Middle East, and with committing other acts that are said to be related to that conspiracy.

We are not trying to find people for this jury who have never heard of this case or of these charges. We are not even trying to find jurors who have never held or expressed an opinion about these charges or about matters related to them. We are trying to find jurors who, regardless of what they have seen or heard, and even regardless of what they have thought or said, can understand that their job as jurors is to decide this case based only on the evidence presented here in court, to apply only the legal rules that I explain and no others, and by applying those rules to that evidence to determine whether or not each defendant's guilt has been proved beyond a reasonable doubt.

We are going to use the following procedure for jury selection: After I finish these preliminary remarks, which should take about 20 minutes, each of you will be given a questionnaire that contains certain questions for you to answer that will help us—the lawyers for the parties and me—to decide whether you can serve on this jury. As I will explain in more detail later on, after you finish filling out the questionnaire today you will submit it and go home, and then return on Wednesday, January 18, at which time some of you will be asked additional questions in person. We will use this process to get a panel of about 80 jurors. In addition to coming back on January 18, you may be asked to come back once or twice more during this selection process. From among this panel of 80 or so, the parties will select the 12 jurors and six alternate jurors who will hear and decide

the case. I hope, if everything goes smoothly, that we can get started with the trial itself not later than Monday, January 30. Of course, if we can start earlier, we will.

The questions in the questionnaire, and those we will ask in person in a few days, ask certain facts about you and members of your family: whether you and any family members or close friends have any connection with the people or events underlying this case; whether you have opinions on certain subjects; and other matters, including how you are employed. I hope you understand that this is not an attempt to pry into your private life but simply a way of helping all of us determine who can serve on this jury.

Before you are given the questionnaire to fill out, there are a few things I should explain about the case. The first is the charges, which are contained in an indictment voted by a grand jury. An indictment is simply the document that contains the charges that the government is required to prove beyond a reasonable doubt. It is the way that the government brings into court people whom the government claims have violated the law. That is the only function of an indictment in a criminal case. An indictment itself is not evidence of the guilt of any defendant. An indictment does not change in any way the presumption of innocence that the law gives every accused person at the start of a trial, a presumption that stays with the defendant throughout the trial unless and until the jury finds, in accordance with legal rules described by the court, that each and every element of a charge has been proved beyond a reasonable doubt.

The indictment in this case contains 28 separate counts or charges, but those charges can be described briefly in three categories. The first category of charges includes three conspiracy charges; one charge of attempted bombing; two charges of soliciting or asking others to commit violent acts; and four charges of receiving, using, or carrying weapons or destructive devices. Those charges are contained in Counts One through Six and Counts Fifteen through Eighteen of the indictment. All of these counts involve charges that some or all of these defendants participated in conspiracies to commit or attempted acts of violence or helped others to do so.

As I mentioned before, a conspiracy is simply an agreement between two or more people to violate the law. The first of these conspiracy charges is that all defendants named in the indictment agreed to oppose the United States and its policies, including its policies in the Middle East, through a series of violent acts, including bombings and murder. These acts are said to have included the bombing of the World Trade Center in February 1993 as well as plans to bomb other buildings and locations, including FBI headquarters and the Holland and Lincoln Tunnels; plans to commit violence against various public figures, including President Hosni Mubarak of Egypt; and plans to try to secure the release of imprisoned members of the group. The indictment charges that these acts were motivated also by opposition to Israel and by a radical interpretation of the Islamic religion. The second conspiracy charge is brought against two defendants and accuses them of agreeing to help arrange the assassination of Egyptian President Hosni Mubarak during a visit he made to the United Nations in the spring of 1993. The third conspiracy charge is brought against all 12 defendants on trial here and accuses them of participating in an unlawful agreement to bomb build-

ings and other locations. This conspiracy charge differs from the first because among other things it does not mention or require proof that opposing United States policy was a motive. Count Six of the indictment contains the charge of attempted bombing and is brought against 10 of the defendants on trial here. Counts Two and Four contain the charges of soliciting or requesting others to commit acts of violence, and both of these counts name one defendant. Counts Fifteen and Sixteen charge that two defendants received and used a semi-automatic weapon in connection with the bombing conspiracy charged in Count Five. Count Seventeen charges seven defendants with using and carrying destructive devices in connection with the bombing conspiracy charged in Count Five, and Count Eighteen charges one defendant with using and carrying destructive devices in connection with the conspiracy charged in Count One. That is the first group or category of charges.

The second category of charges includes Counts Seven through Fourteen; they are brought only against the defendant El Sayyid Nosair, and they all involve conduct that is said to have occurred on November 5, 1990. Count Seven charges that on November 5, 1990, he killed a man named Meir Kahane, and Count Eight charges that he attempted to kill a man named Irving Franklin. Counts Nine and Ten charge that he attempted to kill a U.S. postal inspector named Carlos Acosta. Counts Eleven through Fourteen charge that he used and possessed a weapon unlawfully on November 5, 1990.

Finally, the third category of charges—Counts Nineteen through Twenty-Eight—contain charges only against defendant Ibrahim El-Gabrownny for conduct that allegedly occurred on March 4, 1993. Counts Nineteen through Twenty-Two charge him with obstruction of justice and assault for allegedly trying to interfere with law enforcement officers who were executing a search warrant at his apartment in connection with the investigation of the World Trade Center bombing. Counts Twenty-Three through Twenty-Eight charge Mr. El-Gabrownny with possessing forged Nicaraguan passports at the time of his arrest on March 4, 1993.

As you can see from the description of the charges, this is a case in which people are charged with agreeing to commit criminal acts and with committing criminal acts. No one here is charged simply with having opinions or expressing ideas, neither of which is a crime in this country.

Each defendant, by entering a plea of not guilty in this case, has denied these charges, and the government has the obligation to prove the charges beyond a reasonable doubt.

I have just summarized these charges in a general way not for the purpose of describing what is necessary to prove them; I will do that in detail as part of the trial. The only purpose of summarizing the charges at this point is so that you can understand the reasons for some of the questions you will be asked to answer on the questionnaire and later on during the jury selection process.

When I referred to Count One, I mentioned that the bombing of the World Trade Center in February 1993 is charged as part of the conspiracy set out in Count One. You may be aware that four men were convicted in this court last spring in connection with the World Trade Center bombing. However, those convictions have no relevance to this case. Just because those four men were convicted does not mean that any of these defendants were involved in that

bombing. On the other hand, just because those four men were found to have been involved in that bombing does not mean that anyone on trial here, or anyone else, could not also have been involved. To put the matter simply, although the same bombing is charged as part of this case, the verdict in the other case has absolutely nothing to do with this case.

Now that I have summarized the charges, I will introduce each of the defendants and the lawyers and others who will be participating in the trial of this case. The government is represented in this case, as it is in all cases in which the government is a party before this court, by the United States Attorney for the Southern District of New York, Mary Jo White. This case will be presented by Assistant United States Attorneys Patrick Fitzgerald, Robert Khuzami, and Andrew McCarthy. Assisting them will be Jane Chu.

I will now introduce the defendants and their lawyers. You will notice that some may be represented by more than one lawyer, and you should draw no conclusion from that fact. The question of whether one or more lawyers represent a defendant is simply a matter of convenience and efficiency and should not concern you. The first defendant named in the indictment is Omar Ahmed Ali Abdel Rahman who is known also as Sheik Abdel Rahman.

Dr. Abdel Rahman will be represented by Lynne Stewart, assisted by Ramsey Clark and Abdeen Jabara, and Emanuel Moore also has provided legal counsel to Dr. Abdel Rahman. The second defendant is El Sayyid Nosair. He will be represented by Roger Stavis and Andrew Patel. The third defendant is Ibrahim A. El-Gabrownny. Mr. El-Gabrownny will be represented by Anthony Ricco and Gary Villanueva. Next is Siddig Ibrahim Siddig Ali. He will be represented by Daniel Felber of the firm of Balsam and Felber and by Jerry Tritz. The next defendant listed in the indictment is Clement Hampton-El, who is represented by Kenneth Wasserman. Next is Amir Abdelgani, who is represented by Steven Bernstein. The next person listed is Fares Khallafalla. He is represented by Valerie Amsterdam. The next defendant is Tarig Elhassan. He is represented by Joyce London. The next defendant listed in the indictment is Fadil Abdelgani, who I should note is not the same person as Amir Abdelgani, whom I introduced a moment ago. Mr. Fadil Abdelgani is represented by Charles Lavine of the firm of Grossman, Lavine, and Rinaldo. The next defendant is Mohammed Saleh, who is represented by John Jacobs. The next defendant is Victor Alvarez, who is represented by Wesley Serra. And the last defendant listed in the indictment is Matarawy Mohammed Said Saleh, who is also called Wahid Saleh and is not the same person as Mohammed Saleh, whom I introduced a moment ago. This Mr. Saleh—Matarawy Saleh or Wahid Saleh—is represented by Thomas Nooter of the firm of Freeman, Nooter, and Ginsberg.

Obviously, when you hear a lot of names and see a lot of faces it is difficult at first to keep everyone straight, particularly when some people have similar names. But I can assure you that as the trial progresses you will have no difficulty keeping everyone's identity straight, and there are name cards on the table in front of each person identifying that person.

Now that I have introduced the parties and their lawyers, I should tell you a couple of additional facts about the case that may help you fill out the questionnaire and help you understand how the privacy of jurors can and will be pre-

served in a case like this in which there has been a good deal of public interest. Some of you may have heard or read about jurors being sequestered. The jury in this case will not be sequestered. The jurors will go home every night. However, the names and addresses and other identifying information about jurors, such as their places of employment, will not be disclosed to anyone other than the jury clerk who will send each juror his or her check for jury service. That is to ensure that the privacy of jurors is preserved and that you are not contacted by the press or by others who may be curious to discuss the case. In addition, jurors will be picked up each morning by deputy U.S. Marshals at a convenient meeting place, or perhaps at several different places, and driven to the courthouse. While the jury is in the courthouse, its members will remain with the marshals and will take their coffee breaks and meals together. A light breakfast—coffee and other refreshments—and lunch will be provided by the court during the day for the jurors. In the evening, the jurors will be driven from the courthouse by the marshals back to a convenient drop-off point, or perhaps several drop-off points, and will make their way home. The jury will hear evidence in the case four days a week—Monday through Thursday—at least initially. I hope it will not be necessary for us to go to a five-day-a-week schedule, but I cannot promise that.

Perhaps I should say a few words about the security procedures in this case. When you came to the courthouse this morning you may have noticed that there are marshals and other security people posted inside and outside. The security people are here simply to ensure that whatever people's opinions or feelings may be about this case, they will not cause disruption of the trial, and that the jury can proceed in an orderly way to hear the evidence and decide the case based only on the evidence and on my instructions as to the law.

I am sure you are wondering how long the trial will take. Actually, I am wondering the same thing. It is not possible to predict with great accuracy how long it will take, but the best estimate I can make—and it is only an estimate—is that it will take between six and nine months. I know that is a very long time, and there may be many of you who simply cannot take that amount of time to hear a case, even four days a week. I will discuss that later. But please understand that the lawyers and the court will do everything we can to present the case as quickly as possible, consistent with giving everyone here—both the defendants and the government—a fair trial. I should also tell you that after 30 days of trial, the jury fee you receive goes from \$40 per day to \$50 per day, so there is some slight additional compensation in a longer trial such as this. In addition, jurors will be paid for the cost of public transportation to and from whatever pick-up and drop-off point the marshals use.

You should also know that no one who is employed need be concerned about how their employer might react to their service on a jury during a lengthy trial. Most employers, I think, are pretty good and understanding about that, but in any event there is a federal statute that forbids any discrimination of any kind against anyone on account of jury service. I have made sure in the past that that statute was scrupulously observed by the employers of jurors who have served in this court, and you have my word that I will do so in this case. So you will not lose seniority or any other employment right as a result of your jury service. Although that statute does not require that an employer pay a person his or her salary dur-

ing jury service, it does require that any employer who has a policy of paying employees during jury service continue to apply that policy.

During the trial, those who serve on the jury will have to agree not to read any of the newspaper or magazine reports about the case or watch or listen to any radio or television news report about the case. I may discuss the reasons for that in greater detail later during or after jury selection, but you can probably figure out the reasons for that yourselves. Those who are selected to serve on the jury will take an oath to decide the case based only on the evidence presented in court. There are two parts to that. First, it is the jurors who must decide the case for themselves; and second, they must do so based only on evidence received in court. If jurors read and are influenced by news reports about the case, in effect they are surrendering their responsibility to news reporters or to people whose comments the reporters quote in the newspapers or on radio or television. Reporters frequently highlight what is interesting and easy to understand. As you probably realize, not everything that is interesting and easy is necessarily important, and not everything that is important is necessarily interesting or easy. Even when reporters try in good faith to get facts correct, they are often working in a hurry with partial information, and they do not have an unlimited amount of space or time to explain the facts. To put it simply, even when media representatives try their best, they may not get it right or complete.

Also, people may be quoted in news reports who have an interest in having the case come out one way or the other, and those people will say things they hope will influence public opinion one way or the other. There have already been several people quoted in news reports about this case who fit that description, some of them currently involved in this case, some not. People with an interest in having the case come out one way or the other naturally will say what they think helps the side they want to help, and they will avoid discussing anything they think does not help their side. There have already been many statements like that reported about this case in the newspapers, on television, and elsewhere. Needless to say, such statements are not evidence, and many such statements have included outright falsehoods about what the evidence will show. If a juror is influenced by statements in press reports, which are not evidence and which the parties to this case do not have a chance to rebut or explain, then that juror is not being true to his or her oath to decide the case for himself or herself and to decide it based on the evidence and not based on news reports. That is just a summary of the reasons why we do not want jurors being influenced by news reports, and the easiest way not to be influenced by news reports is not to see or hear them. Start today.

I will also ask you today and on future days not to talk to anyone about this case, particularly not to reporters if they try to question you about it. Obviously, I am also asking the reporters not to try to question jurors or potential jurors because that could simply disqualify those jurors from service and would be interfering with the process of selecting a jury in this case.

But although you will not be able to read about this case or hear about it from news reports, you should know that we will make available to the jurors at the courthouse the local daily newspapers with the stories about this case deleted, so you will be able to keep up with sports—at least those sports that are still being

played—and with other important things like the comics. Unfortunately, none of us will be able to keep up with the Far Side cartoons because Gary Larson has decided to retire and stop drawing them, but we will be able to keep up with everything else.

I am almost done with these preliminary remarks, and I thank you for your attention. A moment ago, when I mentioned the projected length of the trial, some of you looked and even sounded uncomfortable. Others may feel that they would have difficulty serving because of the nature of the charges. I want to assure you that no one is going to be forced to serve on this jury who should not sit because he or she really cannot decide the case based only on the evidence but rather would be influenced by other considerations, or who cannot sit because that person simply cannot afford the time away from business or other pressing matters. That is part of what we will be trying to find out through the questionnaire. But I hope when you answer the questions on that questionnaire you will keep the following in mind: If you, or someone close to you, were accused of a crime, or were the victim of a crime, or were simply involved in an accident or some other event that caused a lawsuit, you would expect a group of your fellow citizens to put aside their beliefs and prejudices, and their other activities, for whatever time it took to hear your case; and you would have every reason to expect that because it is your right in this country to expect it. The people involved in this case have a right to expect that as well. Also, each of you took an oath before we started that you would give truthful answers to all questions put to you touching upon your qualifications to serve as jurors. Everything that happens in this building depends on people taking oaths seriously. No witness is allowed to testify until the witness takes an oath. Each of these lawyers took an oath before that lawyer was permitted to practice in this court. I had to take an oath before I assumed my responsibilities here. Your oath is no less important than the oaths of others who participate in this trial, and it applies to the questions on the questionnaire.

Just a few more words about the questionnaire and then I am finished. The form is about 20 pages long. Most of the questions are “Yes/No” questions, so you will not have to sit and write any long answers. There are two sets of questions on the questionnaire—questions 20(a) and (b) and questions 76 through 80—that I should mention in particular. Questions 20(a) and (b) ask about the ethnic background of you and your spouse, and questions 76 through 80 ask about your religious background. Those questions are optional. You need not answer them if you would prefer not to do so. Whether you answer them or not, please understand that we do not pick juries in this country, and we will not pick this jury, based on ethnic background or religion. The only reason those questions are there is that a person’s background, whether ethnic or religious, might possibly help someone reading the questionnaire better understand the answers to other questions. But again, you need not answer such questions if you would prefer not to do so, and the questionnaire says just that before each of those questions.

Finally, as I mentioned, no one but the jury clerk will know the identity of the jurors. Each of you has been given a juror number. That number should go on the form in the designated space. Please do not put your name anywhere on the

form. The only person who has a list of the names corresponding to the numbers you have is the jury clerk who will issue the checks to the jurors for their jury service, so the lawyers and others who get copies of the questionnaire to review will not know the name or other identifying information about jurors.

After you have finished filling out the questionnaire, you may give it to the clerk, who will make sure that it is complete and that your number appears in the proper place. You may then go home. We will ask you to return on _____ at 1:00 p.m. to Courtroom 110, where you are about to go to fill out your questionnaires and which is just across the hall from the jury assembly room, and you will be told then whether you will be asked any further questions as part of the remainder of the jury selection process. Those who are to be questioned further will meet with me and the lawyers and the defendants in a conference room, one by one, and we will have whatever further discussion we need to have. After that, we will pick about 45 jurors at random, and they may be asked some additional questions in open court. From this group, we will select the 18 jurors who will hear and decide this case.

I will now ask each of you to go with the marshals to the room where you will fill out your questionnaire. When you are done, just signal to one of the clerks that you have finished the form, and one of them will come by and review the form to make sure it is complete. You are then free to leave.

Once again, thank you for your attention. Have a pleasant day and a safe trip home.

United States v. Abdel Rahman: Jury Questionnaire

Hon. Michael B. Mukasey
Southern District of New York
January 9, 1995

The following questionnaire was prepared by the Southern District of New York's United States District Judge Michael B. Mukasey to facilitate jury selection in the prosecution of defendants suspected of seditious conspiracy to conduct a campaign of urban terrorism, including participation in the 1993 bombing of the World Trade Center and plans to bomb New York landmarks, in *United States v. Abdel Rahman*, No. 1:93-cr-181 (S.D.N.Y. Mar. 17, 1993).

Introduction

The furnishing of information on this questionnaire is designed to expedite the jury selection process in this case. If you have any inquiries concerning any particular question, please contact the court and it will be explained to you.

The jurors are advised that the Court is aware that some of the questions contained in the questionnaire are of a personal nature. Nonetheless, the Court must ensure that the jury that hears this case can be completely fair to both sides and that both sides have sufficient information about each juror's background and experiences that they can feel comfortable that a fair and impartial jury will hear this case.

Please be completely frank and candid in responding to this questionnaire. Please do not discuss the questionnaire or your answers with anyone. It is very important that the answers be yours and yours alone. Remember that there are no "right" or "wrong" answers—only truthful answers. *You are sworn to give true and complete answers to all questions.*

Your answers will not become public and, indeed, the Court and the parties will not even know your name. Selecting an anonymous jury is not an unusual practice and has been followed in many cases in Federal Court. Anonymity will ward off curiosity that might infringe on a juror's privacy. Please write only your juror number, and not your name, on this page.

Questions

1. The Court and the parties estimate that after a jury is selected this case will last approximately 6 to 9 months. It is anticipated that the jury in this case will be sitting four (4) days per week, not including holidays. If, however, it becomes necessary, we may have to sit five (5) days per week. Jury service is one of the highest duties and privileges of a citizen. Mere inconvenience or the usual financial hardships of jury service will be insufficient to excuse a prospective juror. Do you wish to apply to the Court to be excused on the ground that jury service would be a serious hardship?

Yes _____ No _____

If yes, briefly explain the hardship.

[**Note:** If the hardship claimed is financial, please do not name your employer but merely describe in general terms the nature of the situation.]

2. (a) Do you have any problem with your hearing or vision that would make it difficult for you to serve as a juror?

Yes _____ No _____

- (b) Do you have any medical condition that would make it difficult for you to serve as a juror on this case?

Yes _____ No _____

- (c) Are you taking any medication that may interfere with your ability to concentrate?

Yes _____ No _____

- (d) Do you have any difficulty in reading or understanding English?

Yes _____ No _____

If you answered “yes” to any of these questions, please explain the circumstances.

3. The Government is represented in this case by the United States Attorney, Mary Jo White, though the conduct of the case is in the immediate charge of the Government attorneys appearing in the courtroom. Do you or does any relative or friend know or have any connection with Mary Jo White?

Yes _____ No _____

United States v. Abdel Rahman: Jury Questionnaire

4. Do you or does any relative or friend know or have any connection with any of the following persons who will be seated at the counsel table for the Government?

Assistant United States Attorney Andrew C. McCarthy
Assistant United States Attorney Robert S. Khuzami
Assistant United States Attorney Patrick J. Fitzgerald
Special Agent Chris Voss (FBI)
Special Agent John Liguori (FBI)
Detective Thomas Corrigan (NYPD)
Jane Chu (Legal Assistant, U.S. Attorney's Office)

Yes _____ No _____

- (a) Have you seen, heard, or read anything about any of these individuals? This includes not only from the media, but anything you may have heard from friends, relatives, or co-workers.

Yes _____ No _____

- (b) What have you seen, heard, or read? _____

5. (a) Do you or does any relative or friend know or have any connection with any of the defendants?

Omar Ahmad Ali Abdel Rahman	Yes ____ No ____
El Sayyid Nosair	Yes ____ No ____
Ibrahim El-Gabrownny	Yes ____ No ____
Siddig Ibrahim Siddig Ali	Yes ____ No ____
Clement Hampton-El	Yes ____ No ____
Amir Abdelgani	Yes ____ No ____
Fares Khallafalla	Yes ____ No ____
Tarig Elhassan	Yes ____ No ____
Fadil Abdelgani	Yes ____ No ____
Mohammed Saleh	Yes ____ No ____
Victor Alvarez	Yes ____ No ____
Matarawy Saleh	Yes ____ No ____

United States v. Abdel Rahman: Jury Questionnaire

- (b) Have you seen, heard, or read anything about this case or any of the defendants? This includes not only from the media, but anything you may have heard from friends, relatives, or co-workers.

Yes _____ No _____

- (c) What have you seen, heard, or read? _____

6. (a) Do you or does any relative or friend know or have any connection with any of the following defense lawyers?

Emanuel Moore (legal advisor to Omar Abdel Rahman)
Roger Stavis
Andrew Patel
Anthony Ricco
Gary Villanueva
Daniel Felber
Gerald Tritz
Kenneth Wasserman
Steven Bernstein
Valerie Amsterdam
Joyce London
Charles Lavine
John Jacobs
Wesley Serra
Thomas Nooter

Yes _____ No _____

- (b) Have you seen, heard, or read anything about any of these attorneys? This includes not only from the media, but anything you may have heard from friends, relatives, or co-workers.

Yes _____ No _____

- (c) What have you seen, heard, or read? _____

United States v. Abdel Rahman: Jury Questionnaire

7. (a) Have you seen, heard, or read anything about any of the following attorneys, whose names may be mentioned during the trial? This includes not only from the media, but anything you may have heard from friends, relatives, or co-workers.

Harry Batchelder
Michael Warren
William Kunstler
Ronald Kuby
Howard Leader
Lawrence Schoenbach
Frank Handelman
Alan Nelson
David L. Lewis

Yes _____ No _____

- (b) What have you seen, heard, or read? _____

8. Have you seen, heard, or read anything about this case?

Yes _____ No _____

What was the source of the information (radio, TV, newspaper, etc.)?

9. If you have seen, heard, or read something about this case, the defendants, or the attorneys, is there anything about what you have seen, heard, or read that would prevent you from rendering a fair and impartial verdict based solely on the evidence presented in court?

Yes _____ No _____

10. Are you aware that the World Trade Center was bombed?

Yes _____ No _____

11. (a) Were you or any close friend or relative at or near the World Trade Center when it was bombed?

Yes _____ No _____

- (b) Have you or anyone close to you avoided entering the World Trade Center since that time?

Yes _____ No _____

United States v. Abdel Rahman: Jury Questionnaire

- (c) Do you or does any close friend or relative regularly use the Holland Tunnel, Lincoln Tunnel, or George Washington Bridge?

Yes _____ No _____

- (d) Have you or has anyone close to you avoided using the Holland Tunnel, Lincoln Tunnel, or George Washington Bridge as a result of this case?

Yes _____ No _____

- (e) Is there anything about a case involving charges concerning the bombing of the World Trade Center or plans to bomb the United Nations, the Holland Tunnel, the Lincoln Tunnel, and the George Washington Bridge that would make it difficult for you to serve as a juror in this case?

Yes _____ No _____

- (f) If you answered any of the questions (a) through (e) "yes," please explain.

12. Have you seen, heard, or read anything about the "World Trade Center" case?

Yes _____ No _____

13. Have you ever heard of Rabbi Meir Kahane?

Yes _____ No _____

If yes, what have you heard?

14. You will learn that there was a prior state trial concerning Rabbi Kahane and defendant El Sayyid Nosair. Have you ever heard about it?

Yes _____ No _____

If yes, what have you heard?

15. Some of the witnesses to be called at this trial testified at the earlier trial. You are not to speculate as to the reasons why a separate federal trial is being brought. The Court instructs you that this trial is proper and specifically does not violate double jeopardy. Does this cause you any concern?

Yes _____ No _____

If yes, please explain.

Would you have any difficulty accepting my instruction that the outcome of the first trial and the reasons for the second trial are irrelevant to this proceeding?

Yes _____ No _____

16. This case may receive media attention. The Court wants to make sure that this case is decided solely on the evidence in the courtroom and not based on things that are said outside the courtroom. Accordingly, the Court will be advising you periodically that you must avoid reading about the case in the newspapers and listening to any radio or television reports about the case. The Court will also advise you periodically that you must avoid discussing this case with friends or family during the course of the trial. Would these requirements pose any difficulty for you?

Yes _____ No _____

Personal Background

17. (a) What is your age? _____

(b) Are you:

Male _____ Female _____

18. What is your place of birth? (Please list only the city and state and, if outside the United States, the country.)

19. Are you (check one):

Married _____

Single _____

Divorced/Separated _____

Widow/Widower _____

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20. (a) What is your ethnic background?

(b) If married, what is the ethnic background of your spouse?

21. (a) What is your county of residence?

(b) In what states or counties have you lived in the past 10 years?

22. Do you read a newspaper regularly (at least two or three times a week)?

Yes _____ No _____

If yes, list the names of the newspapers you read and indicate how often you read each newspaper.

Name of Newspaper	Once a week	2-3 times a week	More than 4x a week	Daily	Sunday only

23. What magazines or periodicals do you read?

24. Do you watch any television newscasts on a regular basis?

Yes _____ No _____

If yes, which ones?

25. Do you watch TV shows like "Hard Copy," "Current Affair," or "Inside Edition"?

Yes _____ No _____

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26. Do you watch police or crime shows such as “America’s Most Wanted,” “Cops,” or “Unsolved Mysteries”?

Yes _____ No _____

27. Do you listen to any radio stations on a regular basis?

Yes _____ No _____

If yes, which ones?

28. (a) Do you speak Arabic (or any dialect of Arabic), or did you grow up in households where the Arabic language or any of its dialects was spoken?

Yes _____ No _____

(b) Do you read any Arabic language newspapers or publications?

Yes _____ No _____

If so, please list the Arabic language newspapers or publications.

(c) If you speak, read, or understand the Arabic language (or any of its dialects), would you have any difficulty relying upon the official interpreter’s translation of testimony and witnesses’ translations of Arabic language evidence?

Yes _____ No _____

(d) What other languages, if any, do you speak or understand?

Employment

Note: Please do *not* indicate the names of employers in answering any of the following questions. Please refer to employment matters generically, e.g., “bank teller.”

29. Are you: () Employed full-time () Retired
 () Employed part-time () Student
 () Homemaker () Disabled
 () Unemployed/laid off

(a) If employed full- or part-time, what type of work do you do for a living?

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(b) If retired or unemployed, what type of work had you been doing?

(c) If a homemaker or a student, have you a job skill which you have worked at?

Yes _____ No _____

If yes, what?

30. What is (was) your job title? _____

(a) What are (were) your duties on that job?

(b) Do (did) you supervise others in that job?

Yes _____ No _____

If yes, how many? _____

31. Do you have a second job?

Yes _____ No _____

If yes, what do you do?

32. How many children do you have, if any? _____

33. List the sex, age, and occupation of each employed child.

Sex	Age	Occupation

34. If you have ever been married, list your spouse's most recent type of work?

35. Do you: () Own your own home () Rent
 () Live with relatives or friends

36. What is the highest grade of schooling you have completed?

- | | |
|---|---|
| <input type="checkbox"/> 8th grade or less | <input type="checkbox"/> Community college |
| <input type="checkbox"/> Some high school | <input type="checkbox"/> Some four-year college |
| <input type="checkbox"/> High school graduate | <input type="checkbox"/> College graduate |
| | <input type="checkbox"/> Post graduate |

If you have training or education beyond high school, please list the field(s) of study.

Please list all degrees you have received but *not* the names of the colleges you received them from.

37. Please describe generally what type of civic, educational, professional, sports, business, religious, or political activities you participate in? [**Note:** Please do not name the organization but indicate your role in the activity or organization; i.e., “active,” “inactive,” or “leader.”]

38. What charities or organizations have you contributed to in the last five (5) years? (The answer to this question is optional.)

39. Do you have any hobbies?

Yes _____ No _____

If yes, what are they? _____

40. Have you ever served in the military?
Yes _____ No _____
Has your spouse served in the military?
Yes _____ No _____
If yes to either, complete the following, and indicate whether this concerns you or your spouse.
Branch _____ from 19__ to 19__
[Note: Describe only the branch: "Army," "Navy," etc.]
Rank _____
Were you or your spouse in combat?
Yes _____ No _____
41. Have you or a spouse had any experience in military intelligence?
Yes _____ No _____
If yes, please explain. _____

42. Were you ever a member of the military police or shore patrol?
Yes _____ No _____
If yes, please explain. _____

43. Were you or anyone close to you ever involved in a court martial?
Yes _____ No _____
If yes, please explain. _____

44. Have you or has any member of your family or friends ever attended any para-military training or a survival school, class, or training seminar, or participated in war games?
Yes _____ No _____
If yes, please explain. _____

45. Do you or does anyone in your house own any firearms?
Yes _____ No _____
If yes, what type and for what purpose? _____

46. Do you belong to any organization that takes positions on gun control (either for or against), such as the National Rifle Association?

Yes _____ No _____

If so, please list the organizations or associations you belong to.

Experience with Courts

47. (a) Have you ever sat:

(i) as a juror in a civil case?

Yes _____ No _____

(ii) as a grand juror?

Yes _____ No _____

(iii) as a juror in a criminal case?

Yes _____ No _____

(b) Have you ever been a juror in a case in which the jury was unable to reach a verdict?

Yes _____ No _____

(c) If you have served on a jury, please list below (1) the approximate date(s); (2) whether you served in state court or federal court; (3) whether it was a grand jury or a trial jury; (4) whether it was a criminal case or a civil case; (5) what the general nature of the case was (for example, robbery, murder, contract, negligence, medical malpractice, etc.); and (6) whether or not a verdict was reached. If so, do not state what the verdict was.

Date	State or federal	Grand jury or trial jury	Criminal or civil	Nature of case	Was there a verdict?

48. Do you have any concerns about serving on an anonymous jury?

Yes _____ No _____

If yes, please explain. _____

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49. Have you ever sued anyone or been sued by anyone?

Yes _____ No _____

50. Have you, or has anyone you know *well*, ever been employed or received training in any local, state, or federal law enforcement agency, including but not limited to the following. (Circle as many as apply for each category.)

	<u>Self</u>	<u>Close Relative</u>	<u>Close Friend</u>
FBI	x	x	x
CIA	x	x	x
U.S. Attorney	x	x	x
Internal Revenue Service	x	x	x
Immigration/Naturalization Service	x	x	x
Drug Enforcement Agency	x	x	x
Alcohol, Tobacco, and Firearms	x	x	x
Military Police	x	x	x
Prison Guards	x	x	x
State Troopers	x	x	x
Police Department	x	x	x
District Attorney	x	x	x
U.S. Marshal	x	x	x
U.S. Treasury Department	x	x	x
Joint Terrorist Task Force	x	x	x
Port Authority of New York & New Jersey	x	x	x

51. Have you or has a relative or friend ever applied to a federal, state, or local agency for employment?

Yes _____ No _____

52. Have you ever attended law school?

Yes _____ No _____

53. Do you have any close friends or relatives who are lawyers or who have attended law school?

Yes _____ No _____

54. Do you or does any relative or friend work for a criminal lawyer or private investigator?

Yes _____ No _____

55. Are you or do you have any close relative or friend who is a judge, law clerk, court attendant, court clerk, other type of court personnel, probation officer, or person connected with any penal institution, jail, or penitentiary?

Yes _____ No _____

Note: In the following questions, the Court is not looking to pry into the past history of jurors or their families but wants to be informed as to what experiences each juror (or a juror's loved one) has gone through in order to determine whether these prior experiences might color the juror's perceptions of how the criminal justice system works. Thus, the following questions must be answered fully and candidly to ensure that the Court and the parties can make a proper determination of whether jurors would be particularly suited for this case. Please do not feel embarrassed about any questions, as the answers will be treated in strict confidence.

56. Have you or has anyone close to you ever been charged with a crime or been the subject of a criminal investigation?
Yes _____ No _____
57. Have you ever appeared or testified as a witness in any investigation or legal proceeding?
Yes _____ No _____
58. Are you or is anyone close to you now under subpoena or, to your knowledge, about to be subpoenaed in any criminal case?
Yes _____ No _____
59. Have you ever visited a jail or prison?
Yes _____ No _____
60. Have you ever been questioned in any matter by the state or local police, any state or local law enforcement agency, or by the Department of Justice or any United States investigative agency, such as the Federal Bureau of Investigation (FBI), Drug Enforcement Administration (DEA), Internal Revenue Service (IRS), Immigration and Naturalization Service (INS), or Customs Service?
Yes _____ No _____
61. Have you ever been involved, or do you expect to become involved, in any legal action or dispute with the United States or any agency, officer, or employee of the United States, or have you ever had any financial interest in such a dispute?
Yes _____ No _____
62. Have you or has a family member or close friend ever been the victim of a crime?
Yes _____ No _____
63. Have you or has a family member or close friend ever been falsely accused of anything?
Yes _____ No _____

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64. Have you ever been treated for a substance abuse problem (for example, alcohol or illegal or prescription drugs)?

Yes _____ No _____

65. Do you tend to believe that a member of law enforcement, such as a police officer or federal agent, who testifies in court is (circle one):

- a more likely to tell the truth than other witnesses
- b about as likely to tell the truth as other witnesses
- c less likely to tell the truth than other witnesses

66. You may hear testimony in this case concerning the use of informants by federal authorities in their investigations. One or more of those individuals may be called to testify in this case, and you may learn that some of the individuals have participated in serious crimes. Others may be expecting to receive a very substantial reward, as will be brought out in the evidence at trial. The Court wishes to advise you that there is nothing illegal or improper about the Government using informants to investigate a case. Do you have strongly held feelings about informants?

Yes _____ No _____

If you have such views, please describe them.

67. The Government expects to call Emad Salem as one of the Government witnesses in this case. You will learn that Emad Salem, a former Egyptian military person, was a Government informant in this case. Have you seen, heard, or read anything about Emad Salem?

Yes _____ No _____

If so, what have you heard or read?

68. There may be evidence in this case about the activities of American or foreign intelligence agencies. Do you have any strong feelings about American intelligence services, foreign intelligence services in general, or the Egyptian government and its intelligence services in particular?

Yes _____ No _____

If you have such views, please describe them.

69. There will be evidence in this case consisting of tape recordings made by an informant of one or more of the defendants at a time when the defendants did not know they were being recorded. In addition, there will be evidence in this case in the form of tape recordings of conversations taking place in given locations or over the telephone through the use of electronic devices commonly known as “bugs” or “wiretaps.” Do you have strongly held views about secretly tape recording conversations or “wiretaps” or “bugs”?

Yes _____ No _____

If you have such views, please describe them.

70. There may also be evidence obtained from photographic and physical surveillance as well as evidence seized pursuant to searches of various places, including the homes of some of the defendants. Do you have any feelings about the use of lawfully conducted surveillance or searches?

Yes _____ No _____

If you have such views, please describe them.

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71. To your knowledge, have you or has any close friend or relative ever been the subject of surveillance (visual, photographic, or electronic) by law enforcement or ever had a car or home searched by law enforcement officers?

Yes _____ No _____

72. Defendant Omar Abdel Rahman has chosen to proceed at this trial as his own attorney. Emanuel Moore is an attorney who will serve as Omar Abdel Rahman's legal advisor. Mr. Moore is not acting as Omar Abdel Rahman's attorney and Abdel Rahman shall direct his own defense. Each juror should judge whatever arguments, if any, Omar Abdel Rahman chooses to make on the merits of the arguments, just as that juror will judge the merits of the arguments made by any other defense counsel. In other words, no juror is to accord any less weight to Omar Abdel Rahman's arguments because he does not have formal legal training. On the other hand, no juror is to treat Omar Abdel Rahman's arguments by any easier standard because he does not have formal legal training. Would you have any difficulty following this rule?

Yes _____ No _____

73. The statements and arguments of counsel are not evidence. Similarly, the questions of counsel are not evidence. Only sworn testimony subject to cross-examination is considered testimony at trial. Since Omar Abdel Rahman is representing himself, you will be instructed that you must not consider Omar Abdel Rahman's arguments and questions to you as testimony. Would you have any difficulty following this rule?

Yes _____ No _____

74. Is there anything about the fact that Omar Abdel Rahman has chosen to represent himself that causes you any difficulty? If so, please explain.

75. Does the fact that defendant Omar Abdel Rahman is blind make it difficult for you to follow the proposition of law that sympathy will not enter into the deliberations of the jury?

Yes _____ No _____

Note: *Questions 76 through 80 concerning religion are optional.*

76. What, if any, is your current religious affiliation? _____

77. What, if any, religion were you raised in? _____

78. Would you consider yourself to be:
- Very religious
 - Somewhat religious
 - Not too religious
 - Not religious at all
79. (a) Have you ever experienced what you believe to be discrimination against you because of your religious beliefs?
Yes No
- (b) Have you ever experienced violence against you because of your religious beliefs?
Yes No

If yes to either question, please explain.

80. Do you or does any close friend or family member practice Islam?
Yes No
81. The defendants are members of the Islamic faith.
Do you know anything about or have any opinion about the teachings or doctrines of Islam?
Yes No
If yes, please explain. _____

82. Have you ever heard the word "Jihad"?
Yes No
If yes, what does it mean to you?

83. (a) Have you ever been to the Abu Bakr Mosque ("Masjid Abu Bakr"), the Al-Taqwa Mosque ("Masjid al-Taqwa"), or the Al-Farooq Mosque ("Masjid al-Farooq") in Brooklyn?
Yes No
- (b) Have you ever been to the Al Salaam Mosque ("Masjid al-Salaam") in Jersey City, New Jersey?
Yes No

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(c) Have you ever been to the Atlantic Avenue section of Brooklyn between Fourth Avenue and Court Street?

Yes _____ No _____

(d) Have you ever attended a speech, sermon, or lecture by defendant Omar Abdel Rahman?

Yes _____ No _____

(e) Have you ever seen or heard a recorded speech, sermon, or lecture by defendant Omar Abdel Rahman?

Yes _____ No _____

84. (a) Is there anything about a case in which all of the defendants are Muslims (which means they practice Islam) that would make it hard for you to serve as a juror?

Yes _____ No _____

(b) One defendant is an African-American Muslim. Would that fact cause you to judge his case any differently?

Yes _____ No _____

85. If a person commits a crime believing his or her acts are lawful in light of his or her religious beliefs, do you believe that person is:

_____ Guilty of a crime

_____ Not guilty of a crime

Please explain.

86. Do you believe it is proper for an American citizen to become involved in political causes affecting foreign countries?

Yes _____ No _____

Please explain.

87. Have you read about, visited, or formed impressions or opinions about the following countries?

Libya	Sudan
Egypt	Saudi Arabia
Iran	Iraq
Israel	Palestine
Kuwait	Syria
Afghanistan	Arab Emirates
Serbia	Bosnia and Herzegovina

Yes _____ No _____

If yes, please explain. Use the following side of the page if necessary.

88. Have you ever traveled outside the United States?

Yes _____ No _____

If yes, please explain where and when.

89. Have you ever disagreed with the policies or actions of the United States government?

Yes _____ No _____

Please explain.

90. Some of the defendants in this case are of Arab descent.

(a) Are you or is any relative or close friend of Arab descent?

Yes _____ No _____

(b) Have you worked with any people of Arab descent?

Yes _____ No _____

(c) Do you socialize with any people of Arab descent?

Yes _____ No _____

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- (d) Have you ever had a negative experience with a person of Arab descent?

Yes _____ No _____

If yes, please explain.

- (e) Do you have any negative feelings or opinions about people of Arab descent?

Yes _____ No _____

If yes, please explain.

91. Do you believe that there is a law enforcement bias for or against people of Arab descent or people of the Islamic faith?

Yes _____ No _____

If yes, please explain.

92. At the conclusion of the case, it is the Court's task and duty to charge you on the law and explain to you the elements of the crimes charged in the indictment. Do you have personal, religious, philosophical, or other beliefs as to what the law is or should be that would make it difficult for you to follow the instructions of the Court?

Yes _____ No _____

93. (a) Is there any reason that you could not be completely fair and impartial to the defendants in this case?

Yes _____ No _____

- (b) Is there any reason that you could not be completely fair and impartial to the Government in this case?

Yes _____ No _____

If you answered either part of the question "yes," please explain.

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94. Is there any matter not covered by this questionnaire that you feel you should tell us about?

Yes _____ No _____

If yes, please explain.

95. If the choice were solely up to you, would you want to serve on the jury in this case? Why or why not?
