

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

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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? _____

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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? _____

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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

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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 _____

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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.

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(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. _____

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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

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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

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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? _____

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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. _____

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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? _____

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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. _____

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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. _____

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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. _____

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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. _____

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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. _____

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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