

United States v. Benkahla: Voir Dire Questions

Hon. James C. Cacheris
Eastern District of Virginia
January 25, 2007

The following voir dire question topics were prepared by the Eastern District of Virginia's United States District Judge James C. Cacheris to address prospective jurors selected for the subsequent perjury trial of a man acquitted in the prosecution of the "Virginia paintballers," *United States v. Benkahla*, No. 1:06-cr-9 (E.D. Va. Feb. 9, 2006). The defendant was convicted and sentenced to 10 years in prison, *see United States v. Benkahla*, 530 F.3d 300 (4th Cir. 2008).

Voir Dire Questions for Benkahla

1. Know AUSA?
2. Know agent?
3. Know defendant's attorney?
4. Know defendant?
5. Involved in law enforcement or FBI (DEA, DOJ, etc.)?
6. Defendant presumed innocent.
7. Legal training?
8. More or less weight to the testimony of a law enforcement officer?
9. Victim of crime or accused of a crime?
10. Language problem or disability; i.e., hearing, sight, physical problem?
11. Fair and impartial verdict.
12. Ever read or heard anything about this case?
13. Source of information (TV, radio, newspaper).
14. What you read or heard?
15. Can you lay it aside and give the defendant a fair trial, or have you made up your mind as to the guilt or innocence of the defendant?

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16. Allegations of the case that defendant lied about being involved in an al Qaeda training camp: Does that create any problems for the jury?
17. Any juror have any close friends or family serving in the military or a civilian in Iraq or Afghanistan?