

1. Will all prospective jurors please stand and be sworn.

2. Jury selection process --- I ask questions. Questions are not intended to pry into your private lives but are designed to find out if you have:
 - A. Any knowledge about case.
 - B. Knowledge of persons involved
 - C. Preconceived opinions you might find difficult to lay aside
 - D. Any personal experiences that might cause you to identify with one side or the other.

3. Procedure for jury questioning: I ask questions – you raise your hand with your number, only if yes. (Don't intend to be impersonal)

4. Is anyone today experiencing any Covid-like symptoms, ie: Fever, cough, sore throat, shortness of breath, recent loss of sense of smell or taste?

5. We know that jury service is an inconvenience to all of you to one extent or the other. However, it is important to this community that persons such as yourselves be willing to serve on juries to decide cases such as this one.

Jury service is one of the most important civic duties that citizens of this country are called upon to perform. I know that you will not take it lightly.

6. Introduce staff.

A. Courtroom clerk: _____

B. Court reporter: _____

C. Judicial Assistant: _____

D. Law Clerks: _____

E. Student externs: _____

F. My name

By chance, does anyone know me or any member of my staff?

7. Introduce people at counsel tables.

A. United States is represented by: _____

They are Assistant US attorneys.

Do any of you know counsel, the US Attorney or any employees in the US attorneys' office?

B. The Defendant is represented by: _____

Do any of you know defense counsel or the defendant?

8. Please note that the witnesses and attorneys have been instructed not to speak to any juror for any reason.

9. Trial Dates: _____ and daily schedule: _____
_____. Is there anything about the schedule that creates a hardship so severe that you feel you will not be able to serve on this jury?

10. Does anyone have any reason whatsoever that might interfere with your serving as a fair and impartial juror?

11. Does anyone have difficulty reading or understanding English?

12. Witnesses - Introduce the witnesses.

A. The witnesses who may be called during this trial are:

B. Does anyone know or think they know any witness?

13. Statement of case.

A. Has anyone read or heard anything about this case?

B. Have you or anyone in your family ever been involved in a case like this case?

C. Is there anything about the facts of this case that would make it difficult for you to be a fair and impartial juror.

14. Have any of you or any member of your families ever served as a law enforcement officer?

15. Is anyone unable to render a verdict based solely on the evidence presented at trial?

16. Does anyone feel that the justice system or judicial process in general is unfair?

17. In a civil case the burden of proof is preponderance of the evidence. This is a criminal trial where the government must prove the defendant's guilt beyond a reasonable doubt. That requires proof that leaves you firmly convinced that the defendant is guilty. Does anyone believe they will have difficulty holding the government to its burden?

18. If you were firmly convinced of the defendant's guilt, is there anything that would prevent you from voting for a guilty verdict?

19. On the other hand, if you were not firmly convinced of the defendant's guilt, is there anything that would prevent you from voting for a not guilty verdict?

20. Here are some fundamental principles of law:

a. The fact that an indictment has been filed raises no presumption whatsoever of the guilt of the defendant.

b. The United States government must satisfy you with evidence beyond a reasonable doubt of the guilt of the defendant.

- c. The defendant does not have any obligation to testify or to produce any evidence and you may not draw an adverse inference if the defendant chooses not to testify.
- d. The defendant is presumed to be innocent until his guilt is established beyond a reasonable doubt.
- e. You must wait until all of the evidence has been presented before making up your minds as to the innocence or guilt of the defendant.

21. Does anyone not understand these principles of law?

22. Does anyone disagree with any of these principles and feel they should not be the law?

23. Does anyone believe they will have any difficulty following these principles of law?

24. Does anyone believe that because a defendant has been indicted and accused of a crime that he is probably guilty?

25. Does anyone believe that if a defendant does not testify at trial then he probably has something to hide?

26. At the end of the case, after you have heard the evidence, I will instruct you regarding what the law is. If selected as a juror, you will take an oath to follow the law. It will be your job to apply the law to the facts to reach your verdict. Does anyone feel they will have difficulty following the law even if you disagree with it?

27. Does anyone have strong feelings regarding government policies which would prevent you from giving whether the government or the defendant a fair trial?

28. Does anyone have any strong feelings regarding the criminal justice system in this country that would prevent you from giving either the government or the defendant a fair trial in this matter?

29. Does anyone have strong feelings about judges and lawyers that would prevent you from giving either the government or the defendant a fair trial in this matter?

30. Does anyone belong to, or have family members that belong to, or support any organization or group that advocates that a juror can ignore the instructions and law given to the jury by the court?

31. Does anyone have a belief, whether religious or philosophical, which makes it difficult for you to sit in judgment of another?

32. If selected to sit on the jury, does anyone feel they would be uncomfortable expressing an opinion contrary to the opinions of the other jurors?

33. Does anyone feel they will be unable to abide by the court's order not to complete any internet searches or other research about persons, places and events relevant to the case during the entire pendency of this case?

34. Does anyone know any other member of the jury panel?

35. Do any of you have any other reasons whatsoever, such as physical difficulty, a health problem or home problems that might interfere with your serving as a fair and impartial juror in this case?

35. Ladies and gentlemen there are some questions on the back of your juror numbers. Starting with juror number one, please stand and answer each of these questions.

36. Those are all of the questions I intend to ask. Sometimes I find, when we get to the end of questioning, jurors have thought of additional answers they did not think of at the time the question was asked.

37. Let me ask a last very broad question. Is there anything else you think the attorneys or I should know about you before we decide who will be on this jury?

Illegal re-entry cases only.

1. The defendant in this case is Hispanic, is there anything about the defendant's racial or ethnic status that would prevent you from being a fair and impartial juror?
2. Have you or anyone close to you had any dealings with the immigration and naturalization service (now the Department of Homeland Security) Border Patrol or the Immigration and Customs Enforcement?
3. Is anyone here a naturalized citizen? If yes, was your experience in becoming a US citizen positive or negative?
4. Does anyone on the panel have particularly strong feelings about current US immigration laws?
5. Does anyone belong to any groups or organizations related to or that focus on immigration, whether it's pro-immigration or anti-immigration?
6. Has anyone participated in any immigration monitoring activities near the Arizona Mexico border?
7. This case may involve official court interpreters. Does anyone know the Spanish language?
 - a. If so, will you be asked to set aside your knowledge and rely solely on the official English interpretation?