

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION

UNITED STATES OF AMERICA

v.

Case no. 3:18-cr-89-J-34JRK

Reginald Brown
_____ /

DEFENDANT REGINALD BROWN'S PROPOSED VOIR DIRE QUESTIONS

The Defendant, Reginald Brown, by and through the undersigned counsel, pursuant to Rule 24(a) of the Federal Rules of Criminal Procedure and this Court's pre-trial order submits the following questions for prospective jurors in this matter:

BIOGRAPHICAL INFORMATION

1. Name: _____
(First) (Middle) (Last) (Maiden)
2. Sex: (M) _____ (F) _____
3. Age: _____
4. Place of Birth: _____
5. Address: _____
6. Where else in Florida have you lived? _____
7. Have you ever lived anywhere else other than Florida?
Yes ____ No ____
If Yes, where have you lived? _____
8. Race/Ethnic Background: _____
9. Marital Status: Single Never Married Married ____ Yrs.
 Separated Divorced Living w/Someone __ Yrs. Widowed _ Yrs.
10. If you have been married, how many times: 1 time 2 times 3 times 4 or more

FAMILY HISTORY

11. If you have children, please state their sex, ages and for your adult children, state their occupations (if they are students, please list their major area of study, if known): _____
12. Is your residence: _____ an apartment or _____ a house?
13. Do you _____ own or _____ rent your residence?
14. How many people live in your household? _____
How are they related to you? _____

EMPLOYMENT

15. What is your current occupation/job title? _____
 - a. Where do you work? _____
 - b. How long have you worked there? _____
 - c. What exactly do you do? _____
16. Have you supervised other people at your present or past place of employment?
Yes _____ No _____
 - a. If yes, how many people are or were under your supervision? _____
 - b. Are or were you responsible for hiring or firing employees? _____
17. Do any of you have experience in the loan, or loan underwriting business?
Yes _____ No _____
18. If you do not work outside the home, please give the reason (i.e. homemaker; student; retired; disabled; unable to find work): _____
19. If your spouse/partner works outside the home, what is his/her occupation and who is his/her employer? _____
20. If your spouse/partner does not work outside the home, please give the reason (homemaker; student; retired; disabled; unable to find work): _____
21. Have you, any family members or friends ever worked for, or sought employment

with, a United States Attorney's Office, or any other office of the United States Government?

Yes _____ No _____

If YES, who, and what agency? _____

22. Do any of you own or had an interest in a small business?
- a. do you hire an accountant or do own your books?
 - b. did you incorporate your business?
 - c. have you ever been audited?
 - d. has any small business you owned ever filed for bankruptcy protection?
23. Does anyone work in a business that applies for or receives government grants or loans?

EDUCATION

24. What is your highest level of education completed?

Elementary School _____ Grade _____

High School _____ Grade _____

Technical or Business School _____

College _____ 2 years _____ 4 years _____

Graduate or Professional School _____

- a. If you attended school past high school:
 - 1. What was your major area of study? _____
 - 2. What degrees or certificates did you obtain? _____
- b. Are you presently a student?
Yes _____ No _____

If yes, describe course of study and anticipated date of completion.

25. What is your spouse/partner's highest level of education completed? _____

MILITARY EXPERIENCE

26. Have you served in the military? Yes _____ No _____

a. If yes, which branch? _____

b. Highest rank attained? _____ Rank at discharge? _____

c. What were your dates of service? _____

d. Nature of discharge? _____

e. What job(s) did you perform in the military? _____

f. Combat experience? Yes _____ No _____

g. If yes, when and where? _____

27. If your spouse/partner was in the military during the time of your marriage:

a. Which branch? _____

b. Highest rank attained? _____ Rank at discharge? _____

c. What were his/her dates of service? _____

d. Nature of discharge? _____

e. What job(s) did he/she perform in the military? _____

f. Combat experience? Yes _____ No _____

g. If yes, when and where? _____

28. Have you or your spouse/partner ever participated in a military court martial, or served in the military police, or other military law enforcement capacity? If yes, please describe the participation:

You: _____

Spouse/Partner: _____

LEGAL SYSTEM EXPERIENCE

29. If you are chosen to serve as a juror in this matter, the judge will instruct you that the defendant is presumed to be innocent of the charges contained in the indictment and this presumption of innocence can be overcome only if the Government proves - beyond a reasonable doubt - each essential element of the charges contained in the indictment. There is no burden on the defendant to prove that he is not guilty; the Government must prove he is guilty beyond a reasonable doubt.

a. Do you understand this rule of law? Yes _____ No _____

b. Do you understand this constitutional standard of evidence, proof beyond a reasonable doubt in a criminal case, is the highest standard of proof used in the legal system greater than that required in a civil case?

c. Will you be able to follow this rule of law? Yes _____ No _____

30. Have you, your spouse/partner, a family member, or close friend ever had an experience with a law enforcement officer in which you (or they) felt you (or they) were treated fairly or unfairly?

Yes _____ No _____

If yes, please describe the experience: _____

31. Have you, or has any close friend or relative, been the victim of or witness to, any kind of crime, whether it was reported to law enforcement authorities or not (including robbery, burglary, assault, sexual assault, etc.)?

Yes _____ No _____

a. How did you, or the person close to you, feel that the police or law enforcement agency handled the situation? _____

b. Have you ever made a statement to the police? Yes _____ No _____

c. If yes, under what circumstances? _____

32. If there was a court hearing for the case or cases described in the previous question, did you testify in court?

Yes _____ No _____

If yes, how did you feel about the experience of testifying?

33. Have you or your spouse/partner ever been involved in a lawsuit?

Yes__ No ____

If yes:

a. What were the suits about? _____

b. How were you or your spouse/partner involved? _____

c. What were the results? _____

d. Were you or your spouse/partner satisfied with the results?
Yes ____ No ____

e. If not, why not? _____

34. Have you, any family members or close friends ever been investigated, charged, arrested, indicted, or convicted of any criminal offense?
Yes __ No __

If Yes

Please give more details about the circumstances:

a. How did you (or they) feel you (or they) were treated by the police?

b. Are there any criminal charges pending against you, your spouse/partner, family member or close friend now?
Yes _____ No _____

If yes, please describe: _____

c. As a result of that experience, what feelings or opinions have you formed about the police or the criminal justice system? _____

35. Have you, a friend or relative of yours ever been sentenced to time in jail or prison?
Yes _____ No _____

If Yes, did you feel the person was fairly treated? Yes _____ No _____

If No, what did you think was unfair? _____

36. Would your experience affect your ability to be a fair and impartial juror in this case?
Yes _____ No _____

37. Have you or your spouse/partner ever had to appear in court, or in any court proceeding, as a plaintiff, defendant, victim, or witness for any reason other than you have indicated above?
Yes _____ No _____

If yes, please state when and why: _____

38. As a result of any experience described above, is there anything that would cause you to lean in favor of either the prosecution or the defendant in this case?
Yes _____ No _____

If yes, please explain: _____

39. Have you ever served:
As a juror in a civil case? Yes No Number of times _____
As a grand juror? Yes No Number of times _____
As a juror in a criminal case? Yes No Number of times _____

If you have ever served as a juror in a criminal case, please fill out the following:

- a. In any of the criminal cases, were you the jury foreperson? Yes ___ No ___
b. In any of the criminal cases, did the jury set the penalty? Yes ___ No ___
c. What did you like or dislike about your prior jury service? _____
40. Based on your experience as a juror, do you feel the legal system worked to your satisfaction?
Yes _____ No _____

If no, please explain: _____

41. Have you or your spouse/partner had any legal training or ever worked for a lawyer, law office, or in any aspect of the legal business?
Yes _____ No _____

If yes, please state the involvement: _____

42. Have you or your spouse/partner ever filed a grievance or administrative complaint against or with a government or government agency, or a law enforcement officer?
Yes _____ No _____

If you or your spouse/partner has, please describe: _____

43. Do you know anyone else on the jury panel?
a. nature of relationship?
b. If both of you are selected for this case, will the other persons presence make you less willing to share your views of the case?

PARTIES, JUDGE, ATTORNEYS

44. Do you know any Assistant United States Attorneys, Assistant State Attorneys or anyone who works for the U.S. Attorney's Office or in any State Attorney's Office?

Yes _____ No _____

If Yes, whom do you know and how do you know this person? _____

45. Do you know any criminal defense attorneys or anyone who works for a criminal defense lawyer?

Yes _____ No _____

If Yes, whom do you know and how do you know this person? _____

46. Do you know Reginald Brown, personally or through an acquaintance, or any member of his family?

Yes _____ No _____

If Yes, whom do you know and how do you know this person? _____

LAW ENFORCEMENT

47. Have you, or has someone close to you, sought employment or been employed by any law enforcement agency (for example, a police or sheriff's office; a prison, jail, probation department; state attorney; the FBI; the DEA; the IRS?)

Yes _____ No _____

48. Have you, or has someone close to you, ever been employed in a security-related job for a private business (i.e. as a security guard or investigator?)

Yes _____ No _____

If yes, please list: _____

49. Have you had any training, courses, or work experience in law enforcement, criminal justice, administration of justice, investigation, civil rights, constitutional law, or criminology?

Yes _____ No _____

If yes, please describe: _____

50. Have you ever had a favorable or unfavorable experience with a lawyer

(including a prosecutor or defense lawyer) or a judge?

Yes ___ No ___

If yes, please explain: _____

51. How do you feel about the way the criminal justice system is working in the United States?
52. How do you feel about the way African American defendants are generally treated in the American criminal justice system?
53. How do you feel about the way public officials charged with a crime are generally treated in the American criminal justice system?
54. Which of the following best describes your feelings or opinions regarding the police, including federal law enforcement agencies such as the FBI?
- | | | |
|--|-----------------------------------|--|
| <input type="checkbox"/> Very Positive | <input type="checkbox"/> Positive | <input type="checkbox"/> Somewhat Positive |
| <input type="checkbox"/> Somewhat Negative | <input type="checkbox"/> Negative | <input type="checkbox"/> Very Negative |
55. Are you aware of any case(s) where you felt the police did not do a thorough job investigating a crime?
56. What are your feelings or opinions of the Jacksonville Sheriff's Office?
57. What are your feelings or opinions of your local police department(s)?
58. What are your feelings or opinions of federal law enforcement agencies (FBI, DEA, etc.)?
59. In general, do you believe the testimony of a law enforcement officer is:
[Please check [x] only one box]
- | | |
|--|---|
| <input type="checkbox"/> Always believable | <input type="checkbox"/> More believable than other witnesses |
| <input type="checkbox"/> Same as any other witness | <input type="checkbox"/> Less believable than other witnesses |
| <input type="checkbox"/> Never believable | <input type="checkbox"/> Don't Know / Not Sure |
60. How would you view the testimony of a person who has pleaded guilty to a felony and agreed to testify for the government in the hope of receiving a more lenient sentence?
- | | |
|--|---|
| <input type="checkbox"/> Always believable | <input type="checkbox"/> More believable than other witnesses |
| <input type="checkbox"/> Same as any other witness | <input type="checkbox"/> Less believable than other witnesses |
| <input type="checkbox"/> Never believable | <input type="checkbox"/> Don't Know / Not Sure |

NATURE OF CRIMES CHARGED AND PRETRIAL PUBLICITY

61. The media generally presents both sides in a criminal case equally.
- Strongly Agree Somewhat Agree Agree No opinion
 Disagree Somewhat Disagree Strongly Disagree
62. Do you feel the media is generally?
- Pro-Defendant Pro-Government Unbiased
63. What criminal case(s) have you followed in the media, if any? _____
64. Reginald Brown, a former Jacksonville City Council person, is accused in this case of committing crimes such as conspiracy to commit mail and wire fraud, money laundering, and failure to file an income tax return. Have you heard or read about this case?
Yes _____ No _____
- a. If Yes, what do you remember reading or hearing? _____
- b. If Yes, what was your reaction to what you heard or read? _____
65. Based on what you have heard, read or seen about this case, which of the following best reflects your opinions regarding whether the defendant is guilty or not guilty of these charges:
- Definitely Guilty Probably Guilty Possibly Guilty
 Definitely Not Guilty Probably Not Guilty Possibly Not Guilty
 None of the above

BURDEN OF PROOF/RIGHT TO REMAIN SILENT

66. A Defendant is innocent unless proven guilty beyond a reasonable doubt.
- Agree strongly Disagree Strongly No Opinion
 Agree Disagree Don't Know
67. If the government charges someone with conspiracy and other charges in Federal Court, that person is probably guilty.
- Agree strongly Disagree Strongly No Opinion
 Agree Disagree Don't Know

68. If a person is brought to trial on conspiracy and other charges in Federal Court, that person is probably guilty.

- | | | |
|---|--|-------------------------------------|
| <input type="checkbox"/> Agree strongly | <input type="checkbox"/> Disagree Strongly | <input type="checkbox"/> No Opinion |
| <input type="checkbox"/> Agree | <input type="checkbox"/> Disagree | <input type="checkbox"/> Don't Know |

69. A Defendant in a criminal case has the right to remain silent.

- | | | |
|---|--|-------------------------------------|
| <input type="checkbox"/> Agree strongly | <input type="checkbox"/> Disagree Strongly | <input type="checkbox"/> No Opinion |
| <input type="checkbox"/> Agree | <input type="checkbox"/> Disagree | <input type="checkbox"/> Don't Know |

70. Even though the law says a Defendant has the right to remain silent, an innocent person accused of a crime should testify.

- | | | |
|---|--|-------------------------------------|
| <input type="checkbox"/> Agree strongly | <input type="checkbox"/> Disagree Strongly | <input type="checkbox"/> No Opinion |
| <input type="checkbox"/> Agree | <input type="checkbox"/> Disagree | <input type="checkbox"/> Don't Know |

71. If the evidence points to a verdict of not guilty and guilty, the verdict should be not guilty.

- | | | |
|---|--|-------------------------------------|
| <input type="checkbox"/> Agree strongly | <input type="checkbox"/> Disagree Strongly | <input type="checkbox"/> No Opinion |
| <input type="checkbox"/> Agree | <input type="checkbox"/> Disagree | <input type="checkbox"/> Don't Know |

72. Mr. Brown is charged in this case with Katrina Brown with whom he is not related. If the Court instructs you that you must consider the evidence as it applies to each individual can you follow that instruction? In other words, if you find the evidence convinces you beyond a reasonable doubt one of the two is guilty of some or all of the charges, does anyone feel that the other must be guilty too?

73. Does everyone understand and recognize the verdict must be unanimous? Does this concept make anyone uncomfortable? In other words, while the Judge will instruct you that you can and should consider every other jurors' point of view, it does not mean however, that you must give up your own good faith feeling about the evidence just to get the case over with? Does everyone understand this concept?

PERSONAL INFORMATION

74. Please list the names of all organizations to which you belong, including clubs, unions, societies, fraternal organizations, professional organizations, and churches (this includes groups like Kiwanis, Rotary, Knights of Columbus, American Legion, American Civil Liberties Union, National Rifle Association,

League of Women Voters, Christian Coalition): _____

Indicate any leadership positions you hold or have held in any of those organizations (officer, committee chair, etc.) _____

75. Do you sympathize with any anti-government views expressed by

a. Anti-government groups or organization? Yes _____ No _____

If yes, please elaborate:

b. Pro-government groups or organization? Yes _____ No _____

If Yes, please elaborate:

76. Have you, a family member or close friend ever participated in any group concerned with crime prevention or victims' rights? If yes, what group was it? Describe its purpose and your participation or your family member/friend's participation:

77. What newspapers, magazines, trade journals or other publications do you read regularly?

78. What television programs do you watch on a regular basis?

79. Approximately how many hours a day do you watch television? _____

80. What radio programs do you listen to on a regular basis?

81. Do you listen to talk radio?
Yes _____ No _____

If Yes, to what talk radio shows do you listen?

82. What is your primary source of news information?

- _____ Newspapers
- _____ Magazines
- _____ TV
- _____ Radio
- _____ Internet
- _____ Friends, Family, and Acquaintances
- _____ Other (please identify) _____

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

84. Have you ever had a bumper sticker on your car? If so, what did it say?

85. Do you have any physical or mental difficulties or obligations that would make it impossible or unreasonably difficult for you to serve in a trial that may last ____ weeks?

Yes _____ No _____

If yes, please elaborate:

a. Difficulty hearing? Yes _____ No _____

b. Difficulty seeing? Yes _____ No _____

c. Are you taking any medication on a regular basis? Yes _____ No _____
If yes, please identify _____

d. Does the medication affect your ability to see, hear, concentrate, etc.?
Yes _____ No _____

If yes, please explain

86. Have you, any family members, or any close friends ever undergone counseling, treatment, or hospitalization for psychiatric, psychological, emotional, family, behavioral, or substance abuse problems?

Yes _____ No _____

If yes, please explain:

87. Is there any matter, whether covered by these questions or not, that you feel should be brought to the attention of the court?

Yes _____ No _____

If yes, please explain:

88. This trial could last as long as ____ weeks. Jury service of this length is an inconvenience and hardship for virtually every juror. Tell us about any extraordinary hardship jury service in this case might cause you.

Respectfully submitted,

S:// Thomas M. Bell

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on July 11, 2019, I electronically filed the foregoing with the clerk of the Court by using CM/ECF system which will send a notice of electronic filing to A. Tysen Duva, AUSA, Michael Coolican, AUSA, John P. Leombruno, Esq., and Richard Landes, Esq.

S:// Thomas M. Bell

THOMAS M. BELL