

ATTACHMENT C

(Brian David Mitchell
Juror Questionnaire)

JUROR QUESTIONNAIRE

Please provide the information requested in the place provided, clearly **circle** your choice when presented with options for your answers, and write legibly:

PART I

Name: _____ Age: _____ Sex: Male / Female

City/Town of residence: _____ County _____ Zip Code: _____

As explained in the court's instructions to you, it is estimated that this trial will last for five weeks, beginning November 1st and excluding November 11th and 12th for Veterans Day and the week of November 22nd to 26th for the Thanksgiving holiday. The last day of trial is estimated to be December 10, 2010.

1. Do you have any personal, employment or family activities or obligations that would make it a hardship to serve as a juror?

Yes No

If yes, check the answer that best describes those problems:

_____ I won't get paid by my employer during jury service.

_____ I am self-employed and will not be able to run my business during jury service.

_____ I have physical disabilities that would make jury service difficult.

_____ I have a family member with a medical or other condition who requires my attention.

_____ I have young children and cannot arrange alternative child care.

_____ I have vacation plans during the course of this trial that cannot be rescheduled.

_____ Other (please describe): _____

If you believe you have circumstances meeting the requirements for undue hardship or extreme inconvenience, please take this questionnaire to the jury administrator for a review and determination of your circumstances before filling out the rest of the questionnaire.

2. Do you have any religious or philosophical beliefs that would prevent you from sitting in judgment of another person?

Yes No If yes, please explain: _____

3. Do you have any health issues (e.g. sight, hearing, emotional, medication, etc.) which may influence your service as a juror?

Yes No If yes, please explain: _____

- a. If yes, have you used any medical aids to assist you in dealing with such a problem?

Yes No If yes, please explain: _____

- b. Do you require regular or frequent medication or medical care and attention?

Yes No If yes, please describe the nature of the medication, its effect on you, and the frequency of taking such medication: _____

4. Please describe any problems that would make it difficult for you to give your full attention to this case:

5. If are qualified as a potential juror in this case, would you want to serve on the jury?

Yes No Please explain: _____

PART II

6. Your place of birth: _____

7. Do you own or rent: Own Rent Live with Parents Other

How long have you lived at your current address? (circle your choice)

Less than 1 year 1-3 years 4-6 years 7-10 years More than 10 years

Approximately how long have you lived in Utah? _____ years

If applicable, where did you live previous to Utah? _____ years? _____

8. Which of the following best describes your current **work status** (please circle):

Employed Unemployed Retired Disabled Homemaker Student

For how long? _____

Please list all the jobs you have had in the past 10 years, starting with any current employment and working backwards. In describing your job duties, please include whether you supervise employees and/or have the right to hire, fire or promote.

Employer	Years	Job Title	Job Duties

12. Are you now, or have you ever been, a member of the **military**? Yes No

What branch of service? _____

What years did you serve? from _____ to _____.

Where did you primarily serve? _____

Were you honorably discharged? Yes No

If you were involved with military law enforcement or any court martial, please describe:

13. Have you ever held or sought **political office**? Yes No

If yes, what office did you seek and when did you seek and/or hold that office?

14. What is your highest level of **education** (circle your choice)?

Some High School High School or GED Some College College Degree Some Post Graduate Graduate Degree

Please identify all post high school education and/or training you have received, including trade schools and/or colleges you have attended and the degrees obtained:

Training / College	Years Attended	Degrees Obtained

Please list all major areas of study undertaken for any post high school education and/or other study / training, including any major areas outside of any degrees you obtained:

15. What is your current **marital status**? (circle your choice below)

First Remarried Single Divorced Widowed Separated Living w/ partner
Marriage

For how long have you had this marital status? _____ years

If you have a current or former spouse/partner, what was his/her highest level of education?

Some High High School Some College Some Post Graduate
School or GED College Degree Graduate Degree

If you have a current or former spouse/partner, please list all the jobs he/she has had in the past 10 years, starting with any current employment and working backwards.

Employer	Years	Job Title	Job Duties

16. Do you have **children**? Yes No

If yes, list their first names, ages and occupations:

Child's name	Age	If adult child, list occupation and how often you see him/her

If you have children in school, what school(s) do they attend?

What are/were your reasons for selecting the school(s)? _____

Do you or have you ever home schooled your children? Yes No

If yes, what were your reasons for making the decision to home school?

17. Please list your **parent's** names and their current or former primary occupations:

Father: _____ Occupation: _____

Mother: _____ Occupation: _____

18. Have you or any immediate member of your family or close friend been **employed** by any of the following?

Employer	Self	Family Member	Close Friend
Federal law enforcement (FBI, BATF, DEA, Secret Service, etc.)	Yes / No	Yes / No	Yes / No
State/local law enforcement (police, sheriff, highway patrol, etc.)	Yes / No	Yes / No	Yes / No
Probation department	Yes / No	Yes / No	Yes / No
Private security	Yes / No	Yes / No	Yes / No
Private investigation agency	Yes / No	Yes / No	Yes / No
Any emergency service (including "911" services)	Yes / No	Yes / No	Yes / No
Department of Justice	Yes / No	Yes / No	Yes / No
Any prosecutor's office	Yes / No	Yes / No	Yes / No
Any public defender's office	Yes / No	Yes / No	Yes / No
Any court (state or federal)	Yes / No	Yes / No	Yes / No
Any program that rehabilitates persons convicted of crimes	Yes / No	Yes / No	Yes / No
Any victim's organization	Yes / No	Yes / No	Yes / No
Any psychologist/psychiatrist's or social worker's office	Yes / No	Yes / No	Yes / No
Any television or radio station	Yes / No	Yes / No	Yes / No
Any newspaper, magazine, or journal	Yes / No	Yes / No	Yes / No

19. Have you, anyone in your immediate family, or any close friends ever **studied** any of the following fields? Studies include taking courses, receiving training, or doing extensive reading or independent study in the field.

Fields	Self	Family Member	Close Friend
Criminal justice	Yes / No	Yes / No	Yes / No
Law	Yes / No	Yes / No	Yes / No
Law enforcement	Yes / No	Yes / No	Yes / No
Journalism, media	Yes / No	Yes / No	Yes / No
Religion or philosophy	Yes / No	Yes / No	Yes / No
Psychology or psychiatry	Yes / No	Yes / No	Yes / No
Sociology or social work	Yes / No	Yes / No	Yes / No
Child development	Yes / No	Yes / No	Yes / No
Women's studies	Yes / No	Yes / No	Yes / No
Human sexuality	Yes / No	Yes / No	Yes / No
K-12 Education	Yes / No	Yes / No	Yes / No

20. Please list any professional, community, or social **clubs or organizations** you belong to, including groups that promote changes in the law, any office you have held in that organization, and how long you held that office:

Name of Organization	Office Held	Years

21. Please list your hobbies and spare time activities:

Do any of these activities involve adolescents or children? Yes No

If yes, please explain:

PART III

This case is entitled, The United States of America v. Brian David Mitchell. Brian David Mitchell is accused of kidnapping a 14-year-old girl, Elizabeth Smart and keeping her for nine months. Brian David Mitchell is charged with kidnapping and unlawfully transporting a minor across state lines with intent to engage in criminal sexual activity.

22. Before today, have you heard, read or seen any news reports concerning the disappearance of Elizabeth Smart, the finding of Elizabeth Smart, or the prosecution of those allegedly responsible for her kidnapping?

Yes No

23. Would you be more likely to find Brian David Mitchell responsible because there was news coverage about it?

Yes No Unsure No effect

24. Which of the following do you feel describes your feelings about the accuracy of the news media?

Always accurate Sometimes accurate Rarely accurate Never accurate Unsure

25. Which of the following best describes the degree to which you rely on the truthfulness of the news media?

_____ I rely on the news

_____ I sometimes rely on the news, depending on the reporter.

_____ I do not rely on news reports alone, but use them as only one basis for forming my opinion.

_____ Other: _____

26. If the judge asked you to promise not to read or watch any news about this case or discuss this case with others, could you make and keep that promise?

Yes No If not, please explain: _____

27. Please indicate the approximate number of written articles, television reports, etc., that you personally heard, read, or saw about Elizabeth Smart's disappearance just **during the time** when she was missing:

None

1-5

6-10

10-20

More than 20

What do you remember **about Elizabeth Smart's disappearance?**

What was your response, both emotionally and otherwise, when you learned of Elizabeth Smart's disappearance?

28. Please indicate the approximate number of written articles, television reports, etc., that you personally heard, read, or saw around the time Elizabeth Smart was found:

None

1-5

6-10

10-20

More than 20

What do you remember **about Elizabeth Smart being found?**

What was your response, both emotionally and otherwise, when you learned that Elizabeth Smart had been found?

29. Please indicate the approximate number of written articles, television reports, etc., that you personally heard, read, or saw about the prosecution of Brian David Mitchell as one person allegedly responsible for the kidnapping of Elizabeth Smart.

None 1-5 6-10 10-20 More than 20

What do you remember **about the prosecution of Brian David Mitchell** as one person allegedly responsible for the kidnapping of Elizabeth Smart?

30. Before today, have you attended any court proceedings associated with the prosecution of Brian David Mitchell?

Yes No If yes, please describe what you have attended: _____

31. Have you read any transcripts, court rulings or other documents associated with the prosecution of Brian David Mitchell?

Yes No If yes, please describe what have you read: _____

32. Have you read any books or seen any movies or television programs that were based upon or similar to the events concerning Elizabeth Smart or Brian Mitchell?

Yes No If yes, please describe what you remember:

33. Have you gone to any meetings or gatherings where this case or similar cases have been discussed or mentioned?

Yes No If yes, please explain: _____

34. Have you had any conversations with other people about Elizabeth Smart or Brian David Mitchell?

No conversations Just a few Several Many Unsure

If so, did you or anyone else express an opinion about this case?

Yes No If yes, what was said: _____

35. What have you heard about **Brian David Mitchell** that you think is true?

36. What have you heard about **Elizabeth Smart** that you think is true?

37. Did you or any close friend or family member participate in community search effort when Elizabeth Smart was missing?

Self

Yes / No

Family member

Yes / No

Close friend

Yes / No

If you personally participated, please describe your experience. If someone close to you participated, please describe anything you have heard about their experience.

38. Are you or have you ever been personally acquainted with Brian David Mitchell or his family (including his ex-wife Wanda Barzee)?

Yes No

If yes, please indicate the person with whom you are/were associated and the nature of that relationship:

Name of Person	Describe Relationship

39. Are you or have you ever been personally acquainted with Elizabeth Smart or her family?

Yes No

If yes, please indicate the person with whom you are/were associated and the nature of that relationship:

Name of Person	Describe Relationship

42. Do you read any **magazines**? Yes No

If yes, please list all magazines that you read and check whether you are a subscriber, a regular reader or an occasional reader:

Name of Magazine	Subscriber	Regular Reader	Occasional Reader

43. Do you listen to **talk radio** or **radio news programs**? Yes No

If yes, please list any radio shows or personalities that you listen to and check how often you tune in:

Name of Radio Show or Personality	Daily	Weekly	Monthly	Less

44. How often do you watch television news or news documentaries?

Daily More than Once a Less than Rarely Never
 once a week week once a week

If applicable, what stations or programs do you normally watch? _____

45. Do you regularly watch any television personalities? Yes No

If yes, please list any television personalities you watch and check how often you watch:

Name of Television Personality	Daily	Weekly	Monthly	Less

Please list any other television programs that you normally watch: _____

How frequently do you watch television (please circle the best description)?

More than six hours a day Two to six hours a day Less than two hours a day Once or twice a week Rarely Never

46. Do you get news and information from the **Internet** on a regular basis?

Yes No If yes, which sites: _____

(a) Do you visit blogs?

Yes No If yes, which ones: _____

(b) Do you listen to podcasts?

Yes No If yes, which ones: _____

(c) Do you have a website?

Yes No If yes, what is the address? www._____

(d) Do you have a social or professional networking account?

Yes No If yes, circle all that apply:

Facebook MySpace Twitter LinkedIn Other: _____

If so, approximately how often do you use your account(s)?

Rarely Occasionally Weekly Daily More than once a day

PART V

This case will involve evidence concerning the defendant's religious beliefs. For this reason we need to ask about your own religious beliefs and practices.

47. Do you consider yourself a religious person? Yes No

What is your religious affiliation, if any? _____
(If Christian, please indicate the specific denomination)

If you are LDS, what is your stake? _____

If you are LDS, what is your ward? _____

48. How active do you consider yourself to be in your church?

Not applicable	Not at all active	Somewhat active	Fairly active	Extremely active
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How frequently do you attend religious services or religious activities?

Never	Seldom	Occasionally	Often	Frequently
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Have you ever gone on any kind of church mission or extended service projects sponsored by a church?

Yes No If yes, please explain: _____

Have you attended seminary or had any other kind of formal religious instruction?

Yes No If yes, please explain: _____

If you serve on any committees of the church or hold any leadership positions or offices, please list below:

	Current?	Past?
a. _____	Yes / No	Yes / No
b. _____	Yes / No	Yes / No
c. _____	Yes / No	Yes / No

Do most of your friends belong to your church group?

Yes No If yes, please tell us why: _____

49. If you have children, how important is it for you that they attend church?

very important important not very important not important

Are there any religious groups that you think children should not be brought up in?

Yes No If yes, which ones and why: _____

50. If you attend church, what do you feel are the most important things you learned from your church or house of worship?

51. Have you ever left a particular church because you thought it would be better for you or your children?

Yes No If yes, please explain: _____

52. Have you ever been a member of or contributed to any group opposed to any religious group or sect?

Yes No If yes, what groups and how long have you participated: _____

53. Would someone of your same religious affiliation be entitled to greater credibility in your mind than someone who is not, as to:

Matters in general? Yes No

Matters relating to religion? Yes No

Matters relating to your religion? Yes No

Why?

PART VI

Because this is criminal case involving allegations of sexual abuse, we need to inquire about your experiences with crime and sexual abuse. Please be open and honest in your answers. You will not be questioned in open court concerning your answers if the experience(s) are too personal.

54. Have you, or anyone close to you, ever been a victim of any type of crime (whether or not that crime was reported to the police)?

Yes No Please explain below:

Who (self, sister, etc.)	Type of crime	Outcome (Anyone caught? Legal result?)

Did any of the crimes listed above involve physical and/or mental injuries?

Yes No

If so, please describe the nature of the injuries: _____

Please indicate how these experiences have affected your views of law enforcement and/or our court system, either positively or negatively:

55. Have you, any family member, or anyone close to you, ever been the victim of **sexual abuse**, including molestation or rape (other than your responses to the earlier "victim of a crime" question)? Please circle all that apply.

Yes, self Yes, family member Yes, someone close No

If yes, please explain: _____

56. Are you, any family member, or close friend associated in any way with any group or organization that supports victims of alleged sexual assault or abuse?

Yes No If yes, what groups and how long have you participated?

57. Have you or anyone close to you, ever been questioned about, investigated for, or arrested or charged with a crime (other than a speeding or minor traffic ticket)?

Yes No If yes, please explain below:

Who (self/spouse/other)	Type of crime	Outcome or legal action taken

Please indicate how these experiences with the criminal justice system have affected your views of law enforcement and/or our court system, either positively or negatively:

58. Do you believe you would automatically give the testimony of a law enforcement professional more credibility than the testimony of any other witness?

Yes

No

Please explain:

59. Would you have a hard time listening to testimony involving discussions about child sexual abuse?

Yes

No

If so, why?

60. Do you have any strong feelings about child sexual abuse that you have expressed either verbally or in writing?

Yes

No

If so, please explain:

PART VII

Because this case will involve mental health evidence, we need to ask about your experiences in this area. Again, please be open and honest in your answers. You will not be questioned in open court concerning your answers.

61. Have you, any family member, or anyone close to you, ever been under the care of a **mental health professional**, for help with any problem or condition (e.g., marital counseling, depression, etc.)?

Yes No If yes, please explain below:

Who (self/spouse/other)	Condition / Diagnosis	When

Please explain your opinion of that experience, either positive or negative, and whether or not the professional care that person received (or is receiving) was necessary and/or helpful:

62. Do you believe that mental health professionals provide an important service to troubled individuals?

Yes No

63. Have you or any family member, or anyone close to you, ever gone to a **minister or other spiritual counselor** for help with any problem or condition (e.g., marital counseling, depression, etc.)?

Yes No If yes, please explain:

64. Do you, or any family member, currently take any medication for any psychological or mental condition (emotional or cognitive problem such as anxiety, depression bipolar behavior, etc.)?

Yes No If yes, what medication(s) (if you know):

65. Do you personally know someone who you consider to be seriously mentally ill?

Yes No If yes, please describe the impact of the illness on that person's life:

If yes, please describe the impact of the illness on your life, if any:

66. Do you believe that mentally ill people should be able to recover without help or treatment?

Yes No Why or why not?

67. Do you believe that a verdict of not guilty by reason of insanity is ever an appropriate verdict?

Yes No Why or why not?

68. Do you have strong enough feelings about the insanity defense that you have either written or spoken to others about those feelings?

Yes No If yes, what are those feelings and when were they communicated?

69. Do you know what will happen to Defendant if the jury reaches a verdict of not guilty by reason of insanity?

Yes No If yes, please explain what you think will happen:

70. If you become a juror in this case and the court instructs you that in your deliberations of a proper verdict you may not consider what will happen to Defendant if the jury reaches a verdict of not guilty by reason of insanity, would you have difficulty complying with that instruction?

Yes No If yes, please explain:

71. If the facts at trial show that Defendant was insane at the time of the crime, could you follow the court's instructions and find him not guilty by reason of insanity?

Yes No If no, please explain:

PART VIII

72. Have you, or anyone in your household, ever been a **party or a witness** in a civil or criminal court case? Please include involvement in ANY legal proceedings, including being a victim of a crime, giving a deposition, being a plaintiff (the one suing), being a defendant (the one being sued / charged with a crime), witness, divorces, bankruptcies, or foreclosures.

Yes

No

If yes, please give the details below:

Type of Case (Civil, Criminal, Divorce, etc.)	Role (victim, plaintiff, defendant, witness, etc.)	Year	Outcome (dismissed, settled, tried to verdict, etc.)

73. Have you ever sat as a **deliberating juror** on any case prior to today? Yes No

If yes, please describe those cases below:

Type of Case (Civil, Criminal, Grand Jury)	Description of Case (auto accident, theft, etc.)	Year	Outcome (guilty, not guilty, hung jury, no cause, etc.)

Were you ever the foreperson of the jury? Yes No

What did you like or dislike about your experience as a juror? _____

Check all that applied to your previous jury service:

_____ I could tell pretty easily when a person was telling a lie.

_____ I was willing to be influenced by the opinions of others.

_____ When I made up my mind, I didn't change it.

_____ I followed my own ideas rather than do what others expected of me.

74. Which of the following choices would concern you more if you were a juror in a criminal case:

a. Letting a potentially guilty person go free

b. Convicting a potentially innocent person

75. How important are hunches when you decide something?

Extremely

Very

Somewhat

Not too much

76. Do you believe that a person charged with a serious crime should have an attorney to represent him or her?

Yes

No

77. What is your opinion, if any, of the following attorneys in the criminal justice system?

Criminal Defense Attorneys: _____

Prosecutors: _____

78. Do you, any family member or close personal friend belong to any group or organization that: (a) ministers to prisoners or inmates or (b) provides legal, social or other assistance to prisoners, inmates or ex-convicts?

Yes No If yes, please explain: _____

PART IX

79. Are there any current or past personal tragedies in your life that you feel still affect you on a day-to-day basis?

Yes No If yes, please explain: _____

80. Please list three of the people that you most admire, and explain why you admire them:

Person	Reason you admire them
_____	_____
_____	_____
_____	_____

81. Please rate the following problems that our country faces today on a scale of one to seven:

___ 1 ___ / ___ 2 ___ / ___ 3 ___ / ___ 4 ___ / ___ 5 ___ / ___ 6 ___ / ___ 7 ___			
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 33%; text-align: center;">NOT IMPORTANT</td> <td style="width: 33%; text-align: center;">SOMEWHAT IMPORTANT</td> <td style="width: 33%; text-align: center;">VERY IMPORTANT</td> </tr> </table>	NOT IMPORTANT	SOMEWHAT IMPORTANT	VERY IMPORTANT
NOT IMPORTANT	SOMEWHAT IMPORTANT	VERY IMPORTANT	

a. Crime	1 2 3 4 5 6 7
b. Poverty	1 2 3 4 5 6 7
c. Child abuse	1 2 3 4 5 6 7
d. Moral decline in society	1 2 3 4 5 6 7
e. Loss of family values	1 2 3 4 5 6 7
f. The practices of some religious groups	1 2 3 4 5 6 7

82. Please rate how much each of the following factors is to blame for the increase of crime in society on a scale of one to seven:

<div> <div>1</div> <div>/</div> <div>2</div> <div>/</div> <div>3</div> <div>/</div> <div>4</div> <div>/</div> <div>5</div> <div>/</div> <div>6</div> <div>/</div> <div>7</div> </div>						
NOT TO BLAME	SOMEWHAT TO BLAME			GREATLY TO BLAME		
a. Lack of parental supervision	1	2	3	4	5	6 7
b. Lenient treatment of juveniles by the courts	1	2	3	4	5	6 7
c. Lack of character by some people	1	2	3	4	5	6 7
d. Children being mistreated by adults	1	2	3	4	5	6 7
e. Lack of opportunity	1	2	3	4	5	6 7
f. Lack of moral values in some people	1	2	3	4	5	6 7

83. Please rate how much each of the following actions would help to reduce crime in our society on a scale of one to seven:

<div> <div>1</div> <div>/</div> <div>2</div> <div>/</div> <div>3</div> <div>/</div> <div>4</div> <div>/</div> <div>5</div> <div>/</div> <div>6</div> <div>/</div> <div>7</div> </div>						
NOT HELPFUL	SOMEWHAT HELPFUL			VERY HELPFUL		
a. Harsher punishment for offenders	1	2	3	4	5	6 7
b. Reduce poverty	1	2	3	4	5	6 7
c. Better training for parents	1	2	3	4	5	6 7
d. Hire more police officers	1	2	3	4	5	6 7
e. Early intervention for at risk youth	1	2	3	4	5	6 7
f. Rehabilitation services	1	2	3	4	5	6 7

84. Have you, a family member or a close friend ever been homeless?

Yes No If yes, please tell us who, when, where, and for how long?

85. What do you believe are the causes of homelessness?

86. The following are the lawyers associated with this litigation. If you are acquainted or associated with any of the following attorneys, please **circle** the name(s) and describe the nature of the acquaintance or association below:

- a. Steven Killpack, Utah Federal Defender
- b. Robert Steele, Assistant Federal Defender
- c. Parker Douglas, Assistant Federal Defender
- d. Audrey James, Attorney at Law
- e. Wendy Lewis, Assistant Federal Defender
- f. Carlie Christensen, U.S. Attorney for the District of Utah
- g. Felice J. Viti, Assistant U.S. Attorney
- h. David Backman, Assistant U.S. Attorney
- i. Diana Hagen, Assistant U.S. Attorney
- j. Alicia Cook, Special Assistant U.S. Attorney

For any name circled above please describe any relationship you have with that attorney:

Name	Describe Relationship

87. Do you or any member of your family have a relationship or acquaintance with U.S. District Judge Dale A. Kimball?

Yes No If yes, please explain the nature of that relationship: _____

88. Finally, is there anything that has not been asked, or anything at all that the court should know, that might affect your ability to either be a fair juror in this case or to serve as a juror in this case? If it is something personal or private, indicate below, and you'll be questioned about it privately, at sidebar, rather than in open court.

Yes No If yes, please describe:

ADDITIONAL SPACE FOR OVERLENGTH ANSWERS

(Please identify the question number before completing your response)

This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

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JUROR CERTIFICATION

I hereby certify that the forgoing answers to this Juror Questionnaire which I have provided to the Court are truthful and complete to the best of my ability. I further certify that I have read and will comply with the Juror Questionnaire Instructions provided to me by the Court. I understand that failure to abide by the Court's Juror Questionnaire Instructions could subject me to penalties for perjury and/or contempt of court.

DATED: _____, 2010.

Signature

Print Name