

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS

| | | |
|---------------------------|---|-----------------|
| UNITED STATES OF AMERICA, |) | |
| |) | |
| Plaintiff, |) | |
| |) | CRIMINAL ACTION |
| v. |) | |
| |) | No. -- |
| |) | |
| DEFENDANT, |) | |
| |) | |
| Defendant. |) | |
| _____ |) | |

JUROR QUESTIONNAIRE

You are being considered for jury duty in a criminal case. The United States has charged certain defendants with participating in an alleged robbery of the Mandarin Restaurant in Wichita, on November 8, 1994. The United States has further charged that a co-owner of that restaurant, _____, was killed during the charged robbery. The United States is seeking the death penalty for this alleged homicide. The defendant has pleaded not guilty to the charges and is presumed to be innocent.

The information which you give in response to this questionnaire will be used only by the Court and authorized parties to select a fair and impartial jury. After a jury has been selected, all copies of your response to this questionnaire

will be returned to the Clerk of the Court and kept in confidence. Any person having access to this questionnaire is under court order to maintain the confidentiality of any information learned in the course of reviewing these questionnaires.

Please answer each question as completely and as accurately as you reasonably can. If you cannot answer a question in the space provided, you may use the reverse side of the page. Your complete written answers will save a great deal of time for everyone involved in the jury selection process.

What is needed is your very best, honest effort to answer the questions contained in the questionnaire. The only right answers are complete and honest responses to all questions. Because the answers must be your own, you should fill out the questionnaire without consulting any other prospective juror.

After you have completed, signed and turned in the questionnaire, you may leave. You will be notified by the clerk's office when to report for jury duty. You should not discuss this questionnaire or your answers with family members, friends or other prospective jurors. You should not make, or attempt to make, any investigation regarding the Mandarin incident.

Thank you for your cooperation.

United States District Judge

1. Name:

2. Sex: _____

3. Home address: _____

4. How long have you lived at this address? _____

5. List any other addresses where you have lived in the past five years:

6. Date of birth: _____

7. What is your race?

_____ White

_____ Black

_____ Hispanic

_____ Asian If yes, specify country of origin: _____

_____ Other (please state) _____

8. Present occupation: _____

9. Name and address of employer: _____

10. Describe your current job (what do you do?):

11. List all of the jobs you have had prior to your current job:

12. How much education do you have?

- a. _____ Grade school or less
- b. _____ Some high school
- c. _____ High school graduate
- d. _____ Technical or business school
- e. _____ Some college
- f. Graduated from college with a degree in

- g. Graduate school with a degree in

13. What special training or skills do you have? _____

List any professional licenses you hold or have held: _____

14. Are you currently a student at a public or private school?

Yes _____ No _____ If yes, state:

a. Name of school _____

b. Public _____ Private _____

- c. Your current major _____
15. Present marital status: Single _____ Married _____
 Separated _____ Divorced _____ Widowed _____
16. Spouse's name: _____
17. Spouse's current occupation: _____
18. Spouse's occupations in the past five years:

19. Spouse's education: _____
20. Do you have children?
 No _____ Yes _____ How many _____
21. For each child or stepchild 18 years or older, please complete the following:
- a. Child's name: _____ Sex: _____
 Date of birth: _____ Age: _____
 School attending: _____
 Current employment: _____
- b. Child's name: _____ Sex: _____
 Date of birth: _____ Age: _____
 School attending: _____
 Current employment: _____
- c. Child's name: _____ Sex: _____
 Date of birth: _____ Age: _____
 School attending: _____
 Current employment: _____
- d. Child's name: _____ Sex: _____

Date of birth: _____ Age: _____

School attending: _____

Current employment: _____

22. a. What is or was your father's occupation?

b. What is or was your mother's occupation?

23. Have you ever served in the military? Yes _____ No _____

a. If yes, which branch? _____

b. What was your rank at discharge? _____

c. What were your dates of service? _____

d. List each place you were stationed: _____

e. Combat experience: _____

24. Was your spouse in the military? Yes _____ No _____

a. If yes, which branch? _____

b. Spouse's rank at discharge? _____

c. Spouse's dates of service: _____

d. List each place your spouse was
stationed: _____

e. Spouse's combat experience:

25. Have you ever worked in public or private law enforcement?

Yes _____ No _____

26. If you have worked in law enforcement, please answer the following:

a. Agency (e.g., Wichita Police Department, FBI):

b. Job title:

c. Dates of service:

d. Your current status:

27. Has a family member or close friend worked in public or private law enforcement?

Yes _____ No _____

28. If yes, provide the following information:

a. Family member/friend's name:

b. Nature of relationship:

c. Agency (e.g., Wichita Police Department, FBI):

d. Job title:

e. Dates of service:

f. Current status:

29. Have you ever had an experience with a law enforcement officer in which you felt you were treated either fairly or unfairly?

Yes _____ No _____ If yes, please explain.

30. Has a member of your family or close friend ever had an experience with a law enforcement officer in which you felt they were treated either fairly or unfairly?

Yes _____ No _____ If yes, please explain.

31. The defendant and other persons who are alleged to have participated in the crimes charged are of Asian descent.

a. Describe the extent of your contact, if any, with persons of Asian descent.

b. Have you, any member of your family or a close friend ever had either a favorable or unfavorable experience with a person of Asian descent? If so, please explain:

c. Have you heard or read anything regarding crime involving members of the Asian community? If so, please explain:

d. In view of the fact that this case involves persons of Asian descent, do you know of anything which would have an effect, either positive or negative, on your ability to be a fair and impartial juror? If so, please describe:

32. Have you ever been involved in a lawsuit?

Yes _____ No _____

a. How many lawsuits have you been involved in?

b. Were you the plaintiff?

c. Were you the defendant?

d. What was the nature and outcome of the lawsuit(s)
(e.g., car accident, suit to collect money,
etc.) _____

e. Were you satisfied with the outcome? Yes _____ No _____

f. Did the legal system work to your satisfaction?
Yes _____ No _____ If no, why not? _____

33. Have you served as a juror in the past? Yes _____ No _____

If yes, how many times have you served as a juror? _____

a. How long ago? _____

b. How many cases were criminal? _____ civil? _____

c. How many were in state court? _____ federal court? _____

d. If criminal, describe the charges: _____

e. Did you reach a verdict? Yes _____ No _____

f. Were you the jury foreperson? Yes _____ No _____

g. Did the jury decide the punishment? Yes _____ No _____

h. Based on your experience as a juror, do you feel that
the legal system worked to your satisfaction? Why, or
why not? _____

34. Have you served as a grand juror? Yes _____ No _____
- a. Was the grand jury state? _____ or federal? _____
- b. Were you the grand jury foreperson? Yes _____ No _____
- c. How did you feel about your grand jury service:

35. Has your spouse ever served as a juror? Yes _____ No _____
- a. If yes, was this jury service in a criminal case? _____
civil? _____ grand jury? _____

36. Have you or has anyone close to you ever worked for or been associated with a District Attorney's Office or a United States Attorney's Office? Yes _____ No _____ A Public Defender's Office? Yes _____ No _____ If yes, explain:

37. Have you ever worked for any other type of lawyer or in a law office?
- Yes _____ No _____ If yes, what were your responsibilities:

What kind of practice (criminal/civil/corporate) did the lawyer/law office engage in? _____

38. Has your spouse worked for any other type of lawyer or in a law office?

Yes _____ No _____ If yes, what were your spouse's responsibilities? _____

What kind of practice (criminal/civil/corporate) did the lawyer/law office engage in? _____

39. Regarding your health and your family's health, do you have:

- a. Hearing difficulties? Yes _____ No _____
- b. Vision problems? Yes _____ No _____
- c. Someone sick to care for? Yes _____ No _____
- d. Regular doctor appointments? Yes _____ No _____
- e. Small children to care for? Yes _____ No _____
- f. Some other problem which will make it difficult for you to serve for 3-4 weeks?

40. Have you, a family member or close friend been the victim of a crime? Yes _____ No _____

If yes, please describe the circumstances: _____

41. Have you ever been charged with a felony? Yes _____ No

If yes, what was the charge? _____

What was the outcome of the case? _____

42. Have you ever been charged with a misdemeanor other than a minor traffic violation?

Yes _____ No _____ If yes, what was the charge? _____

What was the outcome of the case? _____

43. Has a family member or close friend ever been charged with a crime?

Yes _____ No _____ If yes, what was the charge? _____

What was the outcome of the case? _____

44. How often do you watch television news?

45. What newspapers, periodicals, and magazines do you regularly read?

46. Do you follow criminal cases, or criminal trials, or crime stories in the news?

Yes _____ No _____ If yes, what cases have you followed recently? _____

47. Please list the names of all organizations to which you belong including clubs, unions, societies, fraternal organizations and professional organizations:

48. If you hold an office or official position in any organization, please state the organization and the position:

49. If you do volunteer work, please indicate the organization(s) for which you work and describe the services which you provide:

50. Do you or a member of your family own a firearm or firearms? If so, please describe (rifle, shotgun, handgun) and the purpose of ownership (hunting, personal protection, etc.)

51. What are your hobbies, favorite recreations, or pastimes?

52. Do you have a religious affiliation? Yes _____ No _____

If yes, please describe: _____

If you hold any position or office in connection with your religious affiliation, please describe:

53. Have you ever run for or held public office? Yes _____ No _____

54. Have you seen, read or heard anything about the alleged November 8, 1994 incident at the Mandarin Restaurant or this case?

Yes _____ No _____

If yes, tell us what you have seen, read or heard and where you got the information:

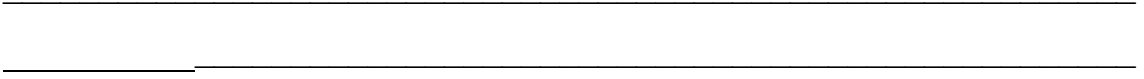
55. Have you ever been to any of these places:

Mandarin Chinese Restaurant, 7152 E. Kellogg, Wichita:

Yes _____ No _____

Towne East Shopping Center, Wichita: Yes _____ No _____

If yes, how many times, and when was the most recent visit:



(Continue to answer questions on the following pages.)

The law provides for a two part trial in cases where the death penalty is sought by the United States. In the first part of the trial, the jury's job will be the same as it would be in any other criminal case -- to decide whether the defendant is guilty or not guilty of the crimes charged. Only in the event the jury decides the defendant is guilty of murder in the first degree does it move to the second part of the trial. In the event of a second part of the trial, the jury will hear additional evidence in order to decide a penalty.

Because the death penalty is being sought by the United States, the court and lawyers need to know about your opinions and personal views toward the death penalty.

56. What are your personal views about the death penalty?

57. Do you have religious, moral or personal beliefs which influence your opinion regarding the death penalty?

Yes _____ No _____

If yes, explain: _____

58. Would these feelings regarding the death penalty affect your ability to decide in the first part of the trial whether the defendant is guilty or not guilty of the crimes charged?

Yes _____ No _____ If yes, please explain: _____

59. Which of the following statements most accurately represent the way you feel about the death penalty?

(Circle one or more that apply):

- a. In a case in which the defendant is convicted and in which the death penalty is requested, I would always vote to impose the death penalty, regardless of the circumstances of the case and the law which the court instructs must be applied by the jury.
- b. I am strongly in favor of the death penalty, and would have a difficult time voting not to impose it, regardless of the circumstances of the case and the law which the court instructs must be applied by the jury.
- c. I am generally in favor of the death penalty, but I would base a decision whether to impose it on the circumstances of the case and the law which the court instructs must be applied by the jury.
- d. I am personally, morally, or religiously opposed to the death penalty, but I would base a decision whether to impose it on the circumstances of the case and the law which the court instructs must be applied by the jury.
- e. I am strongly opposed to the death penalty, and would have a difficult time voting to impose it, regardless of the circumstances of the case and the law which the court instructs must be applied by the jury.
- f. I am personally, morally, or religiously opposed to the death penalty, and would never vote to impose it

regardless of the circumstances of the case and the law which the court instructs must be applied by the jury.

60. Is there any additional information not asked in this questionnaire that you feel the judge or the lawyers should know about before you are considered for jury service?

Yes _____ No _____ If yes, please explain: _____

I certify that I have answered all of the questions in this Juror Questionnaire myself and to the best of my ability and that I will not discuss this questionnaire or make any investigation of the Mandarin incident.

SIGNATURE

DATE