

SEP 26 2013

JUROR QUESTIONNAIRE4TH DISTRICT
STATE OF UTAH
UTAH COUNTY**Read ALL of these instructions before answering any questions.**

- Please answer each question in this questionnaire.
- The answers you give to the questions will save a great deal of time for the judge, the lawyers, and you.
- Remember, your answers are given under oath and must be truthful.
- Your best effort is needed. Please print or write your responses legibly.
- Most questions asked can be answered by simply checking the appropriate word, either "yes" or "no".
- If a question cannot be answered by simply checking the appropriate word, but requires a response such as who, when, where, or something else, simply answer as briefly and completely as possible in the blank space provided for the question involved.
- If you need additional space to complete your answer, please use the blank sheet provided for you at the back of the questionnaire.
- When you use the blank sheet to complete an answer, please write down the number of the question you are answering, and then finish your answer.
- If you do not understand a question you may indicate that on the questionnaire.
- The sole purpose of this questionnaire is to gather information from you that is important to your service as a juror in this case. Your answers will enable the judge and the lawyers to select a fair and impartial jury to try this case.
- Some of the questions may seem to invade your private affairs and personal beliefs, but your responses are essential to the jury selection process.
- The questions contained in your questionnaire are identical to those being answered by the other prospective jurors and are the same types of questions used in other cases.
- As you answer the questions, consider your immediate family to be your spouse, your children, your parents, and your brothers and sisters.
- Please print or write your responses legibly. The Judge and the lawyers in the case thank you for your attention and your efforts to give accurate and candid responses.
- Do not discuss this questionnaire or the case with anyone while you fill this out or afterwards. Do not do any investigation on your own, nor discuss this case with any other person until instructed by the Judge.

If you believe that public disclosure of your answers to particular questions may be embarrassing or otherwise infringe on your privacy rights, you may ask to answer those questions orally and privately in the judge's chambers by writing "private" in the space provided for your answer. When you answer the questions in the judge's chambers, the attorneys, the defendant, the judge and court staff will be present. The judge will decide whether to seal your answers.

1. Name 1. _____
2. Age 2. _____
3. Male/Female 3. _____
4. Do you have any difficulty seeing? 4. Yes _____ No _____
5. Do you have any difficulty hearing? 5. Yes _____ No _____
6. Is your health generally good? 6. Yes _____ No _____
7. Please explain any medical condition that would affect your ability to serve as a juror in this case? 7. _____

8. Are you presently under a doctor's care? 8. Yes _____ No _____
9. Do you take any medications (prescription or otherwise) that have an effect on your ability to concentrate or sit for extended periods of time? 9. Yes _____ No _____
10. Where were you born? 10. _____
11. How long have you lived in Utah? 11. _____
12. Where else have you lived? 12. _____
13. In what other cities, counties, or states have you lived within the past 10 years? 13. _____
14. Are you: 14. _____ married
_____ single
_____ divorced
_____ living with a significant other
15. What is your native language? 15. _____
16. Do you have children? 16. Yes _____ No _____
17. Ages? 17. _____

18. How many children (ages 0 to 17 inclusive) are currently living in your home? 18. _____
19. What is the highest level of education you completed? 19. _____
20. Where? 20. _____
21. If you have attended a college or university, which college or university did you go to? 21. _____
22. If you attended college, what was your college major? 22. _____
23. Have you ever taken courses, or do you consider yourself to be knowledgeable, in any of the following areas? 23. _____ Law
_____ Criminology
_____ Sociology
_____ Criminal Justice
_____ Psychiatry/Psychology
_____ Nursing/Medicine
_____ Engineering
_____ Physics
_____ Biology
_____ Teaching
_____ Computers
_____ Chemistry
_____ Mathematics
_____ Law Enforcement
_____ Substance Abuse
24. What is your occupation? 24. _____
25. Who is your employer? 25. _____
26. How long with that employer? 26. _____
27. Do you supervise or manage others as part of your employment? 27. Yes _____ No _____

28. If you are currently unemployed, retired, or disabled, what is/was your profession, and last employment 28. _____
29. Have you ever worked for an alcohol or drug rehabilitation center, medical or hospital facility? 29. Yes _____ No _____
30. Will you suffer any severe financial or other hardship if selected to serve as a juror for approximately 4 days per week for 4-5 weeks? 30. Yes _____ No _____
31. Do you feel that you should be excused because you perform some service to the public that only you can provide? 31. Yes _____ No _____
If yes, explain: _____
32. What, if any, social organizations do you belong to? 32. _____

33. What hobbies or leisure time activities do you participate in? 33. _____

34. Name three activities you do in your leisure time? 34. _____

35. Have you been involved with any groups whose goals are to make changes in the criminal justice system? 35. Yes _____ No _____
36. If so, what group? 36. _____
37. What was your involvement? 37. _____
38. Have you ever been arrested? 38. Yes _____ No _____
39. When? 39. _____
40. Were you charged with any crime? 40. Yes _____ No _____
41. What crime? 41. _____

42. What was the outcome? 42. _____

43. Do you have any negative feelings towards anyone as a result of that experience? 43. Yes _____ No _____
44. If yes, please describe those negative feelings. 44. _____

45. Has anyone in your family, or a close friend, ever been arrested? 45. Yes _____ No _____
46. Relationship of that person to you 46. _____
47. When? 47. _____
48. Was he/she ever charged with a crime? 48. Yes _____ No _____
49. What crime? 49. _____
50. What was the outcome? 50. _____

51. Do you have any negative feelings towards anyone as a result of your relative/friend's experience with the criminal justice system? 51. Yes _____ No _____
52. If yes, please describe those negative feelings. 52. _____

53. Have you or any member of your family or close friend ever been the victim of domestic violence? 53. Yes _____ No _____
54. If yes, please explain. 54. _____

55. Have you ever been the victim of a crime? 55. Yes _____ No _____
56. When and where? 56. _____

57. What was/were the crime(s)? 57. _____

58. Was anyone charged with a crime? 58. Yes _____ No _____
What crime(s) were charged? _____
59. Was there a trial? 59. Yes _____ No _____
60. What was the outcome? 60. _____
61. Do you have any negative feelings 61. Yes _____ No _____
towards anyone as a result of your
being the victim of a crime?
62. If yes, please describe those negative 62. _____
feelings. _____
63. Has any member of your family or a close 63. Yes _____ No _____
friend ever been a victim of a crime?
64. When and where? 64. _____
65. What crime? 65. _____
66. Was anyone ever charged? 66. Yes _____ No _____
67. Was there a trial? 67. Yes _____ No _____
68. What was the outcome? 68. _____
69. Do you have any negative feelings 69. Yes _____ No _____
towards anyone as a result of your
family member/friend being the victim
of a crime?
70. If yes, please describe those negative 70. _____
feelings. _____

71. Do you know anyone who has been injured or died as the result of a crime? 71. Yes _____ No _____
72. If yes, what were the circumstances. 72. _____

73. Have you ever been a witness to a crime? 73. Yes _____ No _____
What was the crime? _____
74. When and where? 74. _____
75. Was anyone ever charged? 75. Yes _____ No _____
76. Were you called upon to testify? 76. Yes _____ No _____
77. Have you ever appeared as a witness before a Federal Grand Jury? 77. Yes _____ No _____
78. Do you have any negative feelings towards anyone as a result of your being a witness to a crime? 78. Yes _____ No _____
79. If yes, please describe those negative feelings. 79. _____

80. Have you ever been called to serve on a criminal jury? 80. Yes _____ No _____
81. When? 81. Yes _____ No _____
82. What crime was the trial about? 82. _____
83. What was the outcome? 83. _____
84. Has any person talked to you concerning your possible involvement as a juror in this case? 84. Yes _____ No _____
85. If yes, what were the details of the conversation? 85. _____

86. Do you have any negative feelings towards anyone as a result of you being a juror in a case? 86. Yes _____ No _____

87. If yes, please describe those negative feelings. 87. _____

88. Do you have relatives or close friends who now work, or who have in the past, worked for any law enforcement agencies (e.g. sheriff, police, F.B.I., etc.) 88. Yes _____ No _____

89. What agency? 89. _____

90. What is the person's name? 90. _____
What is your relationship with that person? _____

91. Have you ever worked for any law enforcement agency or security company on a full-time or part-time basis? 91. Yes _____ No _____

92. What is the name of the agency or company? 92. _____

93. What position have you held in that agency/company? 93. _____

94. How long did you work for that agency/company? 94. _____

95. Have you ever called the police? 95. Yes _____ No _____

96. If yes, please explain. 96. _____

97. Do you agree/disagree with the following statement: "Police officers generally do a good job of investigating crimes." 97. _____ Strongly Agree
_____ Agree
_____ Disagree
_____ Strongly Disagree

98. Do you agree/disagree with the following statement: "A police officer's testimony in court should receive more weight, be given more credibility, than the testimony of a non-police officer."

98. ☐ Strongly Agree
☐ Agree
☐ Disagree
☐ Strongly Disagree

99. Do you belong to any organization, church or social group which takes a definite position on crime prevention or law enforcement, or that works with law enforcement, criminal offenders, victims, witnesses, prisons, or police?

99. Yes _____ No _____

100. If yes, what position has this group taken on this issue.

100. _____

101. What are the first three adjectives that would come to your mind that you would use to describe your opinion/concept of:

(a.) a law enforcement officer:

(b.) a prosecutor:

(c.) a defense attorney:

102. Do you believe psychologists, psychiatrists, or physicians serve a valid purpose in criminal cases?

102. Yes _____ No _____

103. Do you have any relatives or close acquaintances who are, or who work for, attorneys?

103. Yes _____ No _____

104. What is that person's name?

104. _____

105. What is your relationship?

105. _____

106. What is the attorney's name?

106. _____

107. What is the name and location of the law firm or governmental agency? 107. _____

108. Have you ever had a personal experience with law enforcement (police) that was unpleasant? 108. Yes _____ No _____
109. When and where? 109. _____
110. Do you have any negative feelings towards anyone (police or government) as a result of that experience? 110. Yes _____ No _____
111. If yes, please describe those negative feelings. 111. _____

112. Are you comfortable with being asked to sit in judgment of another person? 112. Yes _____ No _____
113. Do you have difficulty making decisions in your everyday life? 113. Yes _____ No _____
114. Do you have difficulty making decisions regarding important matters? 114. Yes _____ No _____
115. Are you accustomed to making important decisions that affect others? 115. Yes _____ No _____
116. Do you make the important decisions in your family? 116. Yes _____ No _____
117. Do you feel that your decision in this matter might be criticized by your family, your friends, your church or church members, or others? 117. Yes _____ No _____
118. If so, would such criticism be of concern to you? 118. Yes _____ No _____

119. If so, would it affect how you might vote on the issues in this case? 119. Yes _____ No _____
120. How would you describe yourself? 120. _____ Leader, with strong personality that others will follow.
_____ Follower, I don't like to be in control of others.
_____ It depends on the situation, I am capable of both.
121. Do you read newspapers, magazines, books or other periodic publications? 121. Yes _____ No _____
122. How often do you read the newspaper? 122. _____ Everyday
_____ Several times a week
_____ Once a week
_____ Less often than once a week
_____ Never
123. Which publications do you read, and how often do you read each? 123. _____

124. Do you regularly read the Salt Lake Tribune? 124. Yes _____ No _____
125. Do you regularly read the Deseret News? 125. Yes _____ No _____
126. Do you regularly read the Daily Herald? 126. Yes _____ No _____
127. What other newspapers, if any, do you regularly read? 127. _____

128. Please mark all types of books you enjoy reading:

128. ☐ History/Biography
☐ Novels/Literature
☐ Science Fiction
☐ Romance
☐ Politics/Government
☐ Self-help
☐ True Crime
☐ Current Events
☐ Other: _____

129. Do you use the Internet?

129. Yes _____ No _____

130. Do you regularly listen to the radio?
If so, to which station(s)?

130. Yes _____ No _____

131. How often do you watch television?

131. ☐ 5+ hours a day
☐ 3-5 hours a day
☐ 1-2 hours a day
☐ Less than 1 hour a day
☐ Seldom
☐ Never

132. How many times per week do you watch the television news?

132. ☐ Daily
☐ 3-5 times
☐ 1-2 times
☐ Never

133. Do you have any bumper stickers on your car. If so please describe each bumper sticker.

133. Yes _____ No _____

134. Do you believe that most of what you read in the newspapers is accurate/true?

134. Yes _____ No _____

Please explain your answer.

135. Do you believe that most of what you hear on the television or radio is accurate/true?

135. Yes _____ No _____

Please explain your answer.

136. Which do you primarily rely on for news reports? Please circle all that apply.

136. Television _____
Which station(s) _____
Radio _____
Which station(s) _____
Newspaper _____
Which newspaper(s) _____
Internet _____
Which web site(s) _____

This case is about the death of Michelle MacNeill which occurred on April 11, 2007. Ms. MacNeill was discovered in the bathtub of her home. The week before she had undergone facelift surgery. The defendant Martin MacNeill is accused of committing the following crime on or about April 11, 2007: Count 1: MURDER, in that he (a) intentionally or knowingly caused the death of Michele MacNeill; (b) intending to cause serious bodily injury to Michele MacNeill, committed an act clearly dangerous to human life that caused the death of Michele MacNeill; or (c) acting under circumstances evidencing a depraved indifference to human life, knowingly engaged in conduct which created a grave risk of death to Michele MacNeill and thereby caused the death of Michele MacNeill.

The defendant has pled not guilty. After a not guilty plea is entered by a defendant in a criminal case, it becomes the responsibility of the prosecutors who represent the State to convince each and every one of the selected jurors beyond a reasonable doubt that the defendant committed the crime. The defendant has no responsibility to establish his innocence, to present any evidence, or to testify.

This matter has received considerable attention by local and some national news agencies.

137. Have you read, seen or heard any news reports, articles, or other information related to Martin MacNeill?

137. Yes _____ No _____

If so, briefly explain what information you read, saw, or heard.

138. Have you ever expressed an opinion to anyone about whether you believe Martin MacNeill is guilty or not guilty of the alleged crimes?

138. Yes _____ No _____

If so, briefly explain what you said.

139. Has anyone else ever expressed an opinion to you about whether they believe Martin MacNeill is guilty or not guilty of the alleged crimes?

139. Yes _____ No _____

If so, briefly explain what was said.

140. Have you formed an opinion as a result of what you have heard, read or seen about Martin MacNeill?

140. Yes _____ No _____

141. Do you have any negative feelings towards any person as a result of what you have heard, read or seen in the news media about Martin MacNeill?

141. Yes _____ No _____

142. When was the last time you read any articles or saw any television reports about the Martin MacNeill case?

142. _____

143. Have you formed or expressed an opinion with respect to Martin MacNeill based on any of the media reports?

143. Yes _____ No _____

144. What is/are the media report(s) with which you are familiar?

144. _____

145. Please read through the following list of names before answering questions 146 through 153.

Chad Grunander of the Utah County Attorney's Office (Prosecutor)
Jared Perkins of the Utah County Attorney's Office (Prosecutor)
Sam Pead of the Utah County Attorney's Office (Prosecutor)
Randy Spencer of the law firm of Fillmore, Spencer (Defense Attorney)
Susanne Gustin (Defense Attorney)
Martin Joseph MacNeill (Defendant)

| | |
|-------------------------|---------------------------|
| Dr. Von Welch | Jackie College |
| Dr. Scott Thompson | Cheryl Radmall |
| Ada MacNeill | Loreen Thompson |
| Angie Aguilar | Lanni Swallow |
| Kristi Daniels | Doug Witney |
| Doug Daniels | Mark Wright |
| Ray Ormond | Steven Brandt |
| Josh Motsinger | Dave Thomas |
| Mark Sanderson | Cody Jolley |
| Melissa Frost | Stephanie Hansen |
| Dr. L. Scott VanWagoner | Brandon Hobbs |
| Anna Osborne-Walthall | Spencer Cannon |
| Eileen Hang | Howard James Willis |
| Alexis Somers | Vicki Lynn Richard Willis |
| Rachel MacNeill | Gilbert Barrera |
| Steven Mickelson | Mark Smith |
| Dr. Todd Grey | Carol Smith |
| Dr. Dave Cragun | Michael Buchanan, Jr. |
| Dr. Gary Dawson | Raven Buchanan |
| Dr. Doug Rollins | Johnny Vaughn |
| Dr. Joshua Perper | Christifa Knowles |
| Gypsy Willis | Steven Walraven |
| Michele Savage | Ricky Hortsman |
| Brandi Smith | Jason Poirier |
| Dan Beckstrom | Davis Isaacs |
| Jeff Robinson | Jeffrey Baker |
| Vanessa MacNeill | Laurie Johnson |
| Giselle MacNeill | Nick Whiting |
| Elle MacNeill | Gayla Moore |
| Sabrina MacNeill | Heidi Johnson |
| Linda Cluff | Guy Thompson |

Jon "David" Laycock
 Mark Dell'Ergo
 Amber Goff
 Connie Cooper
 Scott Finch
 Officer Ellery
 Chris Holt
 Derek Moffett
 Drew Peterson
 Shane Fredrickson
 Samuel Bigney
 Keldon Brown
 Dorthea Miles
 Patrick Wawro
 Jonathyn Priest
 Dr. Judy Melinek
 Dr. Robert Shomer
 Dr. David Fairbanks
 Julie Peck
 Todd Gabler
 Sarah Lenz
 Linda Strong
 Mike Brower

Bryan Ricks
 Joshua Chappell
 Matthew John Higley
 Dr. Vickie Gregory
 Dr. Matthew C. Lee
 Brett Besser
 Jim VanZant
 Faiz Hassain
 Dr. Alan Goldman
 Marinda Lloyd
 Mary Tramutola
 Mike Tramutola
 Mike Doyle
 Erik Knutzen
 Shaun Bufton
 Russell Long
 Patrick Nielsen
 Irvin B. Hale
 Lorene Thompson
 Krisstina Poirer
 Tammy Black
 Stanley Green

146. Do you have any of the following types of relationships with any of the people just listed or their law firms? (Please circle the correct answer)

| | | |
|-------------------|-----|----|
| Debtor/creditor | Yes | No |
| Guardian/ward | Yes | No |
| Master/servant | Yes | No |
| Employer/employee | Yes | No |

| | | |
|-----------------|-----|----|
| Partner | Yes | No |
| Joint Obligator | Yes | No |
| Attorney/client | Yes | No |
| Landlord/tenant | Yes | No |

147. If you answered "yes" to any of the above, identify the person(s).

147. _____

148. Are you related by blood or marriage to any of the listed person(s)?

148. Yes _____ No _____

149. If so, explain the relationship and identify the person(s).

149. _____

150. Do you have any negative feelings towards any listed person you identified?
If so, which person(s)? 150. Yes _____ No _____

151. Do you have any positive feelings towards any person you identified?
If so, which person(s)? 151. Yes _____ No _____

152. Are you otherwise acquainted with anyone listed? If you are, please circle the name or names. 152. Yes _____ No _____
153. If so, please indicate how you are acquainted with that/those person(s). 153. _____

154. Have you had any contact with any person(s) whom you understand had/has some involvement in this case?
Who was this/these person(s)?
What was said about this incident? 154. Yes _____ No _____

155. Do you feel you would be more inclined to believe the testimony of a police officer than the testimony of other witnesses? 155. Yes _____ No _____
156. Do you feel you would be less inclined to believe the testimony of a police officer than the testimony of other witnesses? 156. Yes _____ No _____
157. Do you feel that you would be less inclined to believe the statement or testimony of a person accused of a crime than the testimony of other witnesses simply because he has been charged with a crime? 157. Yes _____ No _____

158. Have you ever thought that courts are too "soft" on those charged with and/or convicted of crimes? 158. Yes _____ No _____
159. Have you thought that courts are too "hard" on those charged with and/or convicted of crimes? 159. Yes _____ No _____
160. Do you have any negative feelings or do you feel any resentment toward people who are accused of crimes? 160. Yes _____ No _____
161. What is your opinion regarding the effectiveness of the criminal justice system? 161. _____ It works well
_____ It is working adequately
_____ It is not working well at all
_____ It is terrible
_____ No opinion
162. What is more important to you, that the innocent be acquitted, or that the guilty should be convicted? Why? 162. _____

163. Do you believe that innocent people have been convicted in our system of justice? Why? 163. Yes _____ No _____

164. Do you believe the criminal justice system makes it too hard for the police and prosecutors to convict people accused of crimes? 164. Yes _____ No _____
165. One of the basic principles of American law is that a person cannot be convicted unless the prosecution proves the charges beyond, and to the exclusion of, a reasonable doubt. Do you understand that the Defendant is considered not guilty as he sits here and you need not hear anything to find him not guilty? 165. Yes _____ No _____
166. Do you agree with the principle that anyone charged with a crime must be proven guilty beyond a reasonable doubt before he/she can be convicted of a crime? 166. Yes _____ No _____

167. Does the mere fact that Mr. MacNeill
Is charged with these crimes cause you to
believe that he is probably guilty? 167. Yes _____ No _____

168. Do you understand Mr. MacNeill does not
have the burden to prove his innocence? 168. Yes _____ No _____

169. Do you understand that Mr. MacNeill has a
constitutional right not to testify? 169. Yes _____ No _____

170. If the defendant should decide not to
testify, how will that effect your evaluation
of the evidence? 170. _____

171. The court will instruct you on the law that
is applicable to the case. Do you promise
to accept what the law is, regardless of
what you personally believe the law is or
ought to be? 171. Yes _____ No _____

172. If chosen as a juror, you must try the case
solely upon the evidence provided by the
witnesses appearing before you and any
papers or physical evidence received by the
court. Do you promise to follow this
instruction? 172. Yes _____ No _____

173. Have you had any forensic training 173. Yes _____ No _____

If so, describe that training. _____

174. If you were involved in this case, either
as the prosecution or defense, would you
be fully satisfied to have your case tried
by a person of your present attitude and
frame of mind? 174. Yes _____ No _____

If no, please explain. _____

175. How would you feel toward a person who was unfaithful in a sexual way to his or her spouse?

175. ☐ Strong negative feelings
☐ Negative feelings
☐ Neutral
☐ Positive feelings
☐ Strongly positive feelings

176. Would the fact that the Defendant in this case was having an affair at the time of his wife's death cause you to believe that you would not be a fair juror if called to serve in this matter?

176. Yes _____ No _____

Please explain:

177. Have you, your family or anyone close to you ever had a spouse or significant other had surgery, either cosmetic or other?

177. Yes _____ No _____

178. Have you, your family or anyone close to you ever had a spouse or significant other had a prescription for Percocet, Lortab, Ambien, Valium, or Phenergan or similar medication?

178. Yes _____ No _____

If yes, explain:

If yes, how did the medication affect you?

179. Have you, your family, or anyone close to you, ever had a spouse or significant other testify against you/them in a criminal court proceeding?

179. Yes _____ No _____

If yes, explain:

180. How do people grieve, in your opinion?

180. _____

181. Do you believe people grieve in different ways or pretty much the same. Explain.

181. _____

182. Are you inclined to believe the testimony of a child witness between the ages of 8 and 15 more so or less so than an adult witness? Explain.

182. Yes _____ No _____

183. Do you believe a child witness can lie and/or be mistaken? Explain.

183. Yes _____ No _____

184. Have you, a relative or close friend been involved in a contentious child custody dispute?

184. Yes _____ No _____

If yes, explain:

185. Is there any matter you would prefer to discuss privately with the court?

185. Yes _____ No _____

IF YOU NEED EXTRA SPACE TO COMPLETE ANSWERS TO ANY OF THE ABOVE QUESTIONS, USE THE SPACE BELOW.

EXPLANATIONS

I, _____ declare under penalty
(print name)
of perjury that the foregoing answers set forth within pages one through _____ of the
Jury Questionnaire are true and correct to the best of my knowledge and belief.

(Signature)

(Place of Signing)

(Date of Signing)