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Jury Questionnaire

Terry H. Gilbert
Attorney for Sheppard Estate

George H. Carr
Attorney for Sheppard Estate

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IN THE COURT OF COMMON PLEAS

CUYAHOGA COUNTY, OHIO

ALAN J. DAVIS, Special Administrator
of the Estate of SAMUEL H. SHEPPARD

Plaintiff

-vs-

STATE OF OHIO

Defendant

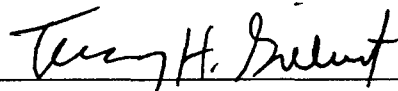
CASE NO. 312322

JUDGE RONALD SUSTER

JURY QUESTIONNAIRE

Now comes the Plaintiff, Alan J. Davis, Special Administrator of the Estate of Samuel H. Sheppard, by and through counsel, and submits the attached Jury Questionnaire to be used in the voir dire in the above-captioned case.

Respectfully submitted,



TERRY H. GILBERT (0021948)
GORDON S. FRIEDMAN (0021946)
Attorneys for Plaintiff
1700 Standard Building
1370 Ontario Street
Cleveland, OH 44113
(216) 241-1430

JUROR QUESTIONNAIRE

Juror # _____

Please answer **all** of the following questions as **completely** and **honestly** as you can. Remember that you are **under oath**. As you answer the questions, please keep in mind that there are no "right" or "wrong" answers. Just read each question carefully and give an honest answer. You **must not** discuss your answers with any of the other jurors. Do not write on the back of these pages. If you need help, ask one of the clerks for assistance. Thank you for your cooperation.

1. Name: _____ Age: _____
2. What neighborhood, suburb or town do you live in or near? _____

How long have you lived in the Cleveland area? _____

Please list all of the towns/cities where you have lived and approximately when you lived there:

3. Please check all categories which apply to your current occupational status:

<input type="checkbox"/> Employed full time	<input type="checkbox"/> Employed part time	<input type="checkbox"/> Retired
<input type="checkbox"/> Temporarily laid off	<input type="checkbox"/> Full time homemaker	<input type="checkbox"/> Student
<input type="checkbox"/> Unemployed	<input type="checkbox"/> Disabled	

4. List your current occupation and employer and briefly describe your duties – if retired or unemployed, refer to your **last** job:

Dates of employment: _____

5. Whether or not you are currently employed, please complete the following information for previous occupations and employers:

<u>Occupation</u>	<u>Employer</u>	<u>Years</u>

6. Have you had any management, supervisory or training responsibilities in current or previous jobs? _____ Yes No _____

IF YES, please describe: _____

How many people have you supervised? _____

7. What is the highest grade or degree you completed in school? _____

List any colleges or vocational schools you attended:

<u>Name of School</u>	<u>Major/Type of Training</u>	<u>Number of Years Attended & Degrees or Certificates</u>

8. What is your marital status? *Please check and answer all that apply*

_____ Single (never married)	_____ Separated for _____ years
_____ Married for _____ years	_____ Widowed for _____ years
_____ Living with a partner for _____ years	_____ Divorced for _____ years

9. If **married or separated**, list spouse's/partner's employer and occupation.
If **widowed** list spouse's/partner's last occupation.

His/Her occupation: _____

His/Her employer: _____

His/Her last grade level completed in school: _____

If more than high school, list his/her major areas of study or special training:

His/her previous occupations and employers:

<u>Occupation</u>	<u>Employer</u>	<u>Years</u>
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10. If you have children, please list their age, sex, and if applicable their occupation and employer:

11. List the occupations and educational background of any other adults in your household and their relationship to you:

12. What was/is your mother's occupation? _____

13. What was/is your father's occupation? _____

14. Were you ever separated from either or both parents during your childhood due to illness, death, divorce, or any other reason? _____ Yes No _____

IF YES, please explain: _____

15. Have you or anyone close to you ever served in the military? _____ Yes No _____

IF YES, is this: _____ yourself _____ family _____ friend

Please list branch, rank at discharge, place and date of service and if you/they ever served in the military police or worked in the military court system:

16. Please list any organizations you have belonged to or in which you participate. This could include veterans groups, service clubs, social clubs, unions, professional, volunteer, church, neighborhood, educational or political groups:

17. Have you, a family member or close friend ever participated in any group concerned with crime prevention, neighborhood protection, or victims' rights (some examples are Neighborhood Crime Watch, Crime Stoppers, Victim Assistance and Mothers Against Drunk Drivers)? _____ Yes No _____

IF YES, is this: _____ yourself _____ family _____ friend

Please explain: _____

18. Have you ever belonged to any group or organization which lobbies or takes positions on criminal justice issues? _____ Yes No _____

IF YES, list each group and its positions, and specify when this was: _____

19. Have you, anyone in your family or any close friends ever been self-employed, owned a business or owned an interest in a corporation or business? _____ Yes No _____

IF YES, is this: _____ yourself _____ family _____ friend

Please describe the type of business and its current status. If the business closed explain when and why that happened:

20. Have you or anyone you know **ever been employed** in the **medical or mental health field** in any capacity -- such as a doctor, nurse, lab technician, physician's assistant, medical technology or research, mental health or counseling, or any other job in the medical field? _____ Yes No _____

IF YES, is this: _____ yourself _____ family _____ friend

Please list the person's job, employer (and location if not in this area) and dates of employment:

21. Have you or someone you know ever received any **education or training** in the **medical or mental health field** (other than people mentioned in the previous question)? _____ Yes No _____

IF YES, is this: _____ yourself _____ family _____ friend

Please describe, including when and where this training was received:

22. Have you or someone you know ever received any **education or training** in the field of **forensic science, DNA testing, or autopsies**? _____ Yes No _____

IF YES, is this: _____ yourself _____ family _____ friend

Please describe, including when and where this training was received:

23. How familiar are you with DNA evidence, and the reliability and validity of DNA testing?

24. Have you or anyone you know **ever been employed** in the **legal profession** or the **courts** in any capacity -- such as a judge, lawyer, prosecutor, investigator, paralegal, legal secretary, court reporter, clerk, or any other job in the legal field? _____ Yes No _____

IF YES, is this: _____ yourself _____ family _____ friend

Please list the person's job, employer (and location if not in this area) and dates of employment:

25. Have you or someone you know ever received any **education or training** in the **legal field** (other than people mentioned in the previous question)? _____ Yes No _____

IF YES, is this: _____ yourself _____ family _____ friend

Please describe, including when and where this training was received:

26. Have you or anyone you know ever been employed in any kind of **law enforcement** organization -- such as a police officer, sheriff, state trooper, dispatcher, investigator, secretary, clerk, FBI agent, or state crime bureau? _____ Yes No _____

IF YES, is this: _____ yourself _____ family _____ friend

Please list the person's job, employer (and location if not in this area) and dates of employment:

27. Have you or anyone you know ever worked as a probation officer, in the prison system, or somewhere else in the corrections field? _____ Yes No _____

IF YES, is this: _____ yourself _____ family _____ friend

Please list the person's job, employer (and location if not in this area) and dates of employment:

28. Have you or someone you know ever received any **education or training** in the field of **law enforcement or criminology** (other than people mentioned in the previous questions)? _____ Yes No _____

IF YES, is this: _____ yourself _____ family _____ friend

Please describe, including when and where this training was received:

29. Do you have any other contact with any kind of law enforcement -- through your job, volunteer work or any other source? _____ Yes No _____

IF YES, please describe: _____

30. You will be hearing testimony from several police officers in this case. Do you think you would give police officers more credibility, less credibility or the same amount of credibility as other witnesses who were not police officers?

_____ more credibility _____ less credibility _____ the same credibility

Please explain your answer: _____

31. Have you or anyone close to you **ever** been employed by a local or national media organization, such as a television station, radio station, newspaper, magazine, etc.? _____ Yes No _____

IF YES, is this: _____ yourself _____ family _____ friend

Please identify the employer(s), describe the job(s) held, and length of employment.

32. Have you ever taken **classes** in journalism, broadcasting, media ethics or media law? _____ Yes No _____

IF YES, please describe the class(es), and where and when this was:

33. What are your sources of news? Check **all** that apply and **circle** the one **most important** to you.

_____ TV

_____ Magazines

_____ Radio

_____ Newspaper

_____ Internet

34. What are your hobbies? _____

35. What type of books and magazines (if any) do you enjoy reading? _____

36. What are your favorite television programs? _____

What TV programs do you watch involving law enforcement, lawyers or the courts?

37. Has anyone you know ever been murdered, or died a violent death? _____ Yes No _____

IF YES, is this: _____ family _____ friend

Please briefly describe the circumstances and when this happened: _____

Was an arrest made? _____ Yes No _____

IF YES, was there a trial? _____ Yes No _____

IF YES, was there a conviction? _____ Yes No _____

How well did you feel the criminal justice system worked in that situation, and why?

38. Have you or any close friends or relatives been the victim of any kind of crime, whether it was reported to law enforcement authorities or not (including robbery, burglary, physical assault, sexual assault, domestic assault, etc.)? _____ Yes No _____

IF YES, is this: _____ yourself _____ family _____ friend

Please briefly describe the circumstances and when this happened: _____

Was an arrest made? _____ Yes No _____

IF YES, was there a trial? _____ Yes No _____

IF YES, was there a conviction? _____ Yes No _____

How well did you feel the criminal justice system worked in that situation, and why?

39. Have you or anyone you know ever been the victim of a crime where no one was punished? _____ Yes No _____

IF YES, what kind of crime, and when did this occur? _____

Was an arrest made? _____ Yes No _____

40. Have you or anyone close to you, ever:

Witnessed a crime	<input type="checkbox"/> Self	<input type="checkbox"/> Family	<input type="checkbox"/> Friend/acquaintance	<input type="checkbox"/> No
Been a witness in court	<input type="checkbox"/> Self	<input type="checkbox"/> Family	<input type="checkbox"/> Friend/acquaintance	<input type="checkbox"/> No
Given a statement in a court case	<input type="checkbox"/> Self	<input type="checkbox"/> Family	<input type="checkbox"/> Friend/acquaintance	<input type="checkbox"/> No
Been interviewed or questioned by the police	<input type="checkbox"/> Self	<input type="checkbox"/> Family	<input type="checkbox"/> Friend/acquaintance	<input type="checkbox"/> No
Sued someone	<input type="checkbox"/> Self	<input type="checkbox"/> Family	<input type="checkbox"/> Friend/acquaintance	<input type="checkbox"/> No
Been sued by someone	<input type="checkbox"/> Self	<input type="checkbox"/> Family	<input type="checkbox"/> Friend/acquaintance	<input type="checkbox"/> No
Worked for a company which has been sued	<input type="checkbox"/> Self	<input type="checkbox"/> Family	<input type="checkbox"/> Friend/acquaintance	<input type="checkbox"/> No
Been charged with a crime	<input type="checkbox"/> Self	<input type="checkbox"/> Family	<input type="checkbox"/> Friend/acquaintance	<input type="checkbox"/> No
Been convicted of a crime	<input type="checkbox"/> Self	<input type="checkbox"/> Family	<input type="checkbox"/> Friend/acquaintance	<input type="checkbox"/> No
Made a charge against someone	<input type="checkbox"/> Self	<input type="checkbox"/> Family	<input type="checkbox"/> Friend/acquaintance	<input type="checkbox"/> No

IF YES to any of the above, please explain what happened **for each occurrence**:

41. Have you or anyone close to you ever been in a situation where you could have sued but chose not to? _____ Yes No _____

IF YES, is this: _____ yourself _____ family _____ friend(s)

Please briefly describe the circumstances: _____

42. Have you ever served on a grand jury? _____ Yes No _____

IF YES, state when and where that was, and how many cases you heard:

43. Have you ever served on a trial jury? _____ Yes No _____

If YES, please answer the following:

<u>Year</u>	<u>Type of Case</u>	<u>Outcome</u>
_____ <input type="checkbox"/> Criminal _____ <input type="checkbox"/> Civil	_____	_____
_____ <input type="checkbox"/> Criminal _____ <input type="checkbox"/> Civil	_____	_____
_____ <input type="checkbox"/> Criminal _____ <input type="checkbox"/> Civil	_____	_____

Was your experience favorable? _____ Yes No _____

Were you ever the foreperson? _____ Yes No _____

44. Other than being a juror, have you ever been in a courtroom before? _____ Yes No _____

IF YES, briefly explain: (when, where, why) _____

Please state your personal beliefs about the following statements.

45. If the government brings someone to trial, that person is probably guilty.

_____ Agree strongly	_____ Disagree somewhat
_____ Agree somewhat	_____ Disagree strongly

46. Obedience and respect for authority are the most important values children can learn.

_____ Agree strongly	_____ Disagree somewhat
_____ Agree somewhat	_____ Disagree strongly

47. It is better for society to let some guilty people go free than to risk convicting an innocent person.

_____ Agree strongly	_____ Disagree somewhat
_____ Agree somewhat	_____ Disagree strongly

48. The police are very thorough and accurate in their usual investigations.

_____ Agree strongly

_____ Disagree somewhat

_____ Agree somewhat

_____ Disagree strongly

49. It is too difficult to convict criminals of serious crimes.

_____ Agree strongly

_____ Disagree somewhat

_____ Agree somewhat

_____ Disagree strongly

50. Do you feel that you or anyone close to you has ever been treated unfairly or inappropriately by a police officer, law enforcement agency or any other government agency? Yes No _____

IF YES, please explain briefly: _____

51. Have you or any family member ever had contact with the Cuyahoga County Attorney's Office for any reason, including the various divisions, such as the Consumer Fraud or Victim/Witness Divisions? _____ Yes No _____

IF YES, please explain: _____

52. Have you or anyone close to you ever had any contact with the Bay Village or Cleveland Police Department? _____ Yes No _____

IF YES, is this: _____ yourself _____ family _____ friend(s)

Please describe: _____

53. Is there anything about your contacts with the police that would cause you to be biased in a case involving the State of Ohio? _____ Yes No _____

IF YES, please explain briefly: _____

54. How fair do you believe the jury system in this country is? _____

55. In general, how reliable do you feel jury verdicts are?

_____ Very unreliable

_____ Somewhat unreliable

_____ Very reliable

_____ Somewhat reliable

Why do you feel that way? _____

56. How well do you think the criminal justice system is working in the United States?

57. Do you have any criticisms of the criminal justice system? _____ Yes No _____

IF YES, please explain: _____

58. Under our system of justice, a criminal defendant is presumed innocent unless the government can prove his guilt beyond a reasonable doubt. What do you think about this principle of law?

59. How difficult would it be for you to presume that a person who is charged with murder is innocent?

60. How often do you think the police and the prosecution make the mistake of bringing charges against a person who did not commit a crime?

61. How well do you think the **civil** justice system is working in the United States?

62. Do you have any criticisms of the **civil** justice system? _____ Yes No _____

IF YES, please explain: _____

63. Do you think the majority of civil lawsuits today are:

_____ definitely justified
_____ probably justified

_____ probably not justified
_____ definitely not justified

Why do you feel that way? _____

64. Lawsuit abuse (the filing of too many lawsuits) is a major problem in America today.

_____ Somewhat agree
_____ Strongly agree

_____ Somewhat disagree
_____ Strongly disagree

Why do you say that? _____

65. Have you ever heard of any verdicts that you thought were too high? _____ Yes No _____

Please explain: _____

66. How do you feel about people filing lawsuits to obtain money damages to compensate them for emotional distress they have suffered as a result of another party's wrongdoing?

67. What changes would you like to see in the ways the courts handle civil lawsuits?

68. This case involves a lawsuit being brought by Sam Reese Sheppard against the State of Ohio, claiming that his father, Dr. Sam Sheppard, was wrongfully imprisoned from 1954 to 1964. Dr. Sam Sheppard was convicted of the murder of his wife, Marilyn, and then later received a new trial and was found not guilty. Sam Reese Sheppard is suing the state of Ohio for wrongfully imprisoning his father. The state of Ohio denies any wrongdoing.

What do you remember, in general, about:

- a. The murder of Marilyn Sheppard? _____

- b. Dr. Sam Sheppard? _____

- c. The 1954 trial of Dr. Sam Sheppard? _____

- d. The 1966 retrial of Dr. Sam Sheppard? _____

- e. Other: _____

69. Have you heard others express opinions about this case or about Dr. Sam Sheppard? _____ Yes No _____

IF YES, what opinions were expressed? _____

70. Have you ever discussed Dr. Sam Sheppard's case with anyone who has, or claims to have, direct knowledge of the case? _____ Yes No _____

IF YES, please explain briefly: _____

71. Have you seen or heard anything about Sam Reese Sheppard, Dr. Sam Sheppard's son, and his lawsuit against the State of Ohio? _____ Yes No _____

IF YES: What did you see or hear? _____

When was this? _____

Have you ever discussed Sam Reese Sheppard's case with anyone? _____ Yes No _____

72. Do you know anyone who has any kind of personal connection to anyone involved in Sam Reese Sheppard's case in any way? _____ Yes No _____

IF YES, please explain: _____

73. Have you formed any opinion about Sam Reese Sheppard's civil lawsuit against the State of Ohio? _____ Yes No _____

IF YES, what is your opinion? _____

74. Have you heard others express opinions about this lawsuit or about Sam Reese Sheppard? _____ Yes No _____

IF YES, what opinions were expressed? _____

75. From which source(s) have you heard, read, or seen anything about the murder and court cases involving Dr. Sam Sheppard? (Check **any and all** that apply)

_____ TV news	_____ Magazines
_____ Radio	_____ Books
_____ Newspapers	_____ Internet
_____ Word of mouth	_____ Other: _____

76. How closely would you say you have followed the murder and court cases involving Dr. Sam Sheppard?

77. Approximately how many media (television, newspaper, magazine, and radio) reports in total have you seen, read, or heard about the murder and court cases involving Dr. Sam Sheppard?

_____ None	_____ 21 - 30
_____ 1 - 10	_____ 31 - 40
_____ 10 - 20	_____ More than 40

78. When was the last time you read or heard about the murder and court cases involving Dr. Sam Sheppard? _____

What did you read or hear? _____

79. In this case, Sam Reese Sheppard, as the representative of the estate of his father, Dr. Sam Sheppard, is suing the State of Ohio. How do you feel about the estate of a deceased person suing the State of Ohio for wrongful imprisonment after all these years?

80. Do you have any physical illness, disability or other condition that would make it difficult for you to serve as a juror in this case? _____ Yes No _____

IF YES, please explain: _____

81. Do you have any family or work reason that would make it difficult for you to serve as a juror in this case? _____ Yes No _____

IF YES, please explain: _____

82. Is there anything else the judge and attorneys should know about you in relation to serving on this jury? _____ Yes No _____

IF YES, please explain: _____

83. Are any of your answers to the questions in this questionnaire so personal that you would not want them to be discussed in front of other jurors? _____ Yes No _____

IF YES, which questions? _____

84. Attached is a list of attorneys and people who may be called as witnesses or whose names may be referred to in this case. Do you, to your knowledge, have any personal, family, business, or professional connection of any sort with any of them? Please write down the names of any people or companies to explain what that connection is:

Name	
Name	
Name	
Name	
Name	
Name	
Name	
Name	

I affirm, under penalty of perjury, that I have given complete and honest answers to all of the questions above.

Signature Date