

THEREUPON, ARTHUR R. WYCOFF, JR.,
a member of the prospective jury panel, having
been previously sworn, was examined and testi-
fied on voir dire, as follows:

THE COURT: Mr. Wycoff, you
will recall that you are under oath now, sir?

MR. WYCOFF: Yes, I do.

THE COURT: Mr. Wycoff, you
will keep your voice up so that each of us in
this room can hear you, and Mr. Remito can
record your responses; will you do that,
please?

MR. WYCOFF: Yes, sir.

THE COURT: Thank you, sir.

Counselor Corrigan?

VOIR DIRE EXAMINATION OF ARTHUR R. WYCOFF, JR.

By Mr. Corrigan:

Q Will you state your full name, Mr. Wycoff?

A Arthur Randolph Wycoff, Junior.

Q Where do you live?

A 220 Beeler Drive, Berea.

Q With whom do you live at that address?

A My wife.

Q Do you have any children?

A No, we do not.

Q What is your occupation, sir?

A I am a supervisor in the accounting department of the Federal Reserve Bank.

Q How long have you been so employed?

A Two years.

Q What is your age, sir?

A Twenty-seven.

Q Prior to being a supervisor in the bank, what type of employment were you engaged in?

A Well, I left school in my mid-term, my sophomore year, and worked for two years and then returned to school to complete college.

Q What school was that?

A This was Baldwin Wallace I went to.

Q How far did you go to school at B-W with regard to obtaining a degree?

A Well, I went to my sophomore year and then quit to work for two years, and then went back and completed my work.

Q When did you marry, sir?

A In '64.

Q Is your wife employed outside of the home rather than as a homemaker?

A Yes, she is.

Q What is her employment?

A She is at the National City Bank as a teller.

Q How long has she been employed as a teller with the National City Bank?

A About five years.

Q Prior to your marriage, where did your wife live?

A In Parma.

Q Are you a native to the Greater Cleveland area?

A No, we are not.

Q Where were you born?

A In Washington, D. C.

Q At what age did you leave Washington, D. C.?

A About thirteen.

Q Then, did you come to the Cleveland area?

A Yes, we did.

Q And you have lived here ever since?

A Yes, sir.

Q Do you know anybody connected with or associated with the Prosecuting Attorney's Office of this county?

A No, sir, I do not.

Q Do you know anybody that is associated with the defense, either Doctor Sam Sheppard or Mr. Russell Sherman or Mr. Lee Bailey, his counsel?

A No, I do not, sir.

THE COURT:

Counselor,

excuse me, I may have missed it, but when did Mr. Wycoff come to the Cleveland area, what year?

A Well, it was about '53 or '54.

THE COURT: You moved to Cleveland?

MR. WYCOFF: Yes.

THE COURT: What age were you at that time?

MR. WYCOFF: About thirteen, sir.

THE COURT: Thank you.

Please proceed, Counselor.

By Mr. Corrigan:

Q At the time you came to Cleveland, you came with your parents?

A Yes, sir.

Q Do you have any brothers or sisters?

A Yes, sir, one brother.

Q Older or younger?

A Younger.

Q What is his age and occupation?

A He is twenty-two and he is a student.

Q What is your father's occupation?

A He is the head of the General Accounting Office,

in the Audit Branch in Cleveland.

Q Keep your voice up, please. How long has he been associated with that firm?

A About thirty-five years.

Q So he was associated with that firm in Washington, D. C., before he came to Cleveland?

A Yes, sir.

Q Did you have occasion to read anything about the Sheppard case?

A Yes, sir.

Q When was the first time you read something about it, if you can recall?

A During the first trial.

Q Were you in the Cleveland area at that time?

A Yes, we were, we had moved here about a year previous to that.

Q How old were you at that time?

A Oh, about fourteen.

Q Did you read about it in the daily newspapers?

A Yes, very briefly.

Q Did you read about it in any magazines or periodicals or books?

A No.

Q When you read about it in the newspaper, did you follow it rather closely?

A No, I did not.

Q Did you have occasion subsequently to read anything about the Sheppard case?

A No, sir, I did not.

Q I take it then that you read nothing in recent days or months relating to this case?

A Absolutely nothing.

Q Did you have occasion to discuss this case with anybody relative to the guilt or innocence of the defendant?

A I may have, sir. I really, I don't know, I really can't say.

I have said nothing in the past several years about it.

Q At the time you may have had some discussion, had you formulated an opinion one way or the other?

A No, sir, I really didn't care at that time. I wasn't interested in it at all.

Q Have other people expressed their opinions to you?

A Oh, yes.

Q On how many occasions?

A I really don't know. I couldn't say. Not very often, but I have heard some opinions expressed.

Q When you say not very often, would it be as many as a dozen times?

A No, no. Less than that, less than that.

Q Would it be as many as a half a dozen times?

A Oh, perhaps, perhaps.

Q As a result of those opinions, did you engage in some discussion about this matter?

A Not to any great extent, no. I don't know much about it.

Q As a result of these opinions that were expressed to you, or something that you may have read or heard, did you yourself formulate any opinion?

A No, I have not.

Q Have you or any member of your family ever been involved in a criminal matter as a victim or a witness or as a juror or in any other manner?

A No.

Q If you are selected as a juror and the time arrives when the jury is deliberating the facts in this case, would you be able, sir, to join with your fellow jurors in discussing all of the facts and the evidence that you heard here in the courtroom, with a view in mind of arriving at a fair and objective verdict, fair to both the defendant and the State of Ohio?

A I believe so, sir, yes.

Q Would you give any greater or lesser weight to the testimony of a witness solely because that witness might be a police officer or a governmental official?

A No.

Q Would you, sir, use your everyday common ordinary sense in evaluating the believability or the credibility of the witnesses that would testify in this matter?

A Yes.

Q Have you had any connection with the Bay Village Hospital?

A No.

Q Do you know or have you had any connection or any association with anyone who might be a witness in connection with this matter?

A None whatsoever.

Q If Judge Talty instructs you as to what the law is, though you may have an idea that the law should be something different from that, would you put out of your mind your own concept of what you think the law should be, and accept the law as Judge Talty will tell you the law to be?

A Yes, sir, I would.

Q Now, you say you think you would. I believe we need a stronger answer than that.

Would you be able to?

A Yes, I believe so, sir.

Q If for example, Judge Talty were to tell you that circumstantial evidence properly proven is just as good as direct evidence, would you accept that if he told you

that that was the law?

A Yes, I would.

Q Would you accept that even though you had a concept that it should be different?

A Yes, I would.

Q If he told you, for example, that the state had the burden of proving the case against the defendant beyond a reasonable doubt, with respect to each essential element, would you accept that?

A If it was the law, yes, sir, I would.

MR. CORRIGAN: Pass for cause.

THE COURT: Counselor Bailey
or Sherman?

VOIR DIRE EXAMINATION OF ARTHUR R. WYCOFF, JR.

By Mr. Bailey:

Q Mr. Wycoff, you said some people had expressed opinions in your presence at one time or another?

A Yes, they have.

Q The personnel section of the Federal bank of which you are employed, you said you were a supervisor in the accounting department?

A Yes.

Q You supervise people who do accounting?

A Yes.

Q You are an accountant yourself?

A No, I am not.

Q You have some experience with figures, no doubt?

A Well, some, yes.

Q Have you heard opinions as to the relative merits of the Sheppard case from anyone in the Federal Reserve Bank?

A Yes.

Q Have any of the people who have expressed opinions to you, been in the superior position in the chain of command of personnel?

A No. These are just the office girls.

Q All right, just the office help. Have these opinions influenced you in any way as to the merits of the case?

A I don't believe so, no.

Q Is it fair to say that you are approaching this case today with a completely open mind and waiting to determine from the evidence what the facts are?

A I think so, yes.

Q Now, the Court will instruct you at some point, and has already made an allusion to this fact in preliminary instructions, that the burden of proof is upon the State of Ohio.

You will also be instructed in the event it becomes

necessary that the defendant is not required to testify, and if he does not testify, no inference of guilt or consciousness of guilt can arise from that; so you feel that you can accept that instruction?

A Yes, sir.

Q In the absence of his testimony?

A Yes, sir.

Q And determine his guilt or innocence without any reference to his failure to explain or appear as a witness?

A Yes.

Q Should it develop in the course of deliberations as a juror, that you and your fellow jurors have a disagreement, and that you appear to be in the minority, with your view contravening those of the majority, do you feel that so long as your judgment remained unchanged you would be able to adhere to and assert and vote your own judgment and not be inclined to vote with the majority just for the purpose of reaching a verdict?

A If I felt I was right, yes.

Q Do you know of any reason, Mr. Wycoff, why you should not or would rather not sit in this case?

A To my knowledge, no.

Q Any doubt in your mind that you could give the defendant a fair trial?

A No, sir, there is not.

Q You are aware, of course, that there was a prior trial?

A Yes, I learned that.

Q Did you learn at some point it had been overturned by the United States Supreme Court?

A Yes.

Q Are you able in deciding this case, if you are selected as a juror, to completely disregard all reference in your own mind and in your own deliberation during the prior trial or its result, or the merits one way or another, and accept the fact that we are beginning today just as if there had never been a crime?

A Yes, sir.

Q If police witnesses or other witnesses testify to one fact and the defendant with his own testimony contradicted that fact, would you be inclined to give less weight to the defendant's testimony solely because he is the defendant in this case?

A No.

MR. BAILEY: Pass for cause.

THE COURT: Mr. Wycoff, would you be kind enough to take the chair directly next to Miss Peters, please, in the front row.