

**WESTERN JUDICIAL CIRCUIT
NAVY-MARINE CORPS TRIAL JUDICIARY**

UNITED STATES)	
v.)	GENERAL COURT MARTIAL
FRANK D. WUTERICH)	PROPOSED DEFENSE VOIR DIRE
XXX XX 3312)	13 September 2010
Staff Sergeant)	
U.S. Marine Corps)	
)	
)	
)	

1. Have you ever been a victim of a violent crime?
2. Is religion of significant importance in your daily life?
3. Is it permissible for you as a member of a panel to guess a Marine into a conviction?
4. Have you read, listened to or heard rumors about this case in the media?
5. What have you read or heard?
6. Do you have any reservations about judging a case involving the death of multiple persons?
7. Where in Iraq were you stationed?
8. How long were you there?
9. Do you have an opinion on the credibility of people living in Iraq?
10. Do you know what an expert witness is?
11. Do you have an opinion as to their credibility?
12. Do you have any reservations about viewing graphic photos that show dead persons?
13. Do you punish for the level of involvement in a crime more than you do for the rank of the person accused of the crime?

14. What is your understanding as to the importance of the chain of command in a squad of combat Marines?
15. Have you or someone close to you ever been the victim of a crime?
16. Have you lost anyone close to you in combat?
17. If so how many?
18. What is more important to you, to keep an innocent person from going to jail or to keep a guilty person from going free?
19. Which is more important to you, freedom or safety?
20. Do you mind having a civilian help a Marine defend himself against an accusation?
21. What have you heard about the Haditha cases?
22. What have you heard about the Hamdania cases?
23. Is your general opinion of combat troops being accused of crimes that take place on the battle field any different than those accused of crimes while back at home or during a time of peace?
24. Have you ever operated under the rules of engagement on a day to day basis?
25. What is your experience with Iraqis who file frivolous complaints against U.S. military so that they can make money?
26. Do you have strong feelings about the war?
27. Do you have strong feelings about those who criticize the war?
28. Generally, which side has more credibility with you, prosecution or defense?
29. Do you believe that you can always tell when you are being lied to?
30. How can you tell, what do you look for?
31. What are some reasons why someone might lie to you?

32. Can you make room for the possibility that someone may lie about someone else in order to get out of trouble?
33. Can you make room for the possibility that people will lie out of their own self interest?
34. What is your political affiliation? (i.e. republican, democrat, civil libertarian)
35. Where do you fall on the scale of liberal, moderate and conservative?
36. Are you religious and if so what religion and/or denomination?
37. How long have you been in the service?
38. How long do you want to stay in the service?
39. What do you like most about the service?
40. What do you like least about it?
41. What is more important to you, to feel safe and protected or to feel free and independent?
Why?
42. How would you describe your father, strict or nurturing?
43. In your opinion, what is the most important job in the Marine Corps? Why?
44. Who were you raised by?
45. Do you have strong opinions about terrorism?
46. Do you have strong opinions about the war in Afghanistan?
47. Do you have strong opinions about the war in Iraq?

48. How do you feel about Marines that have been to combat?
49. Do you have strong opinions about Marines who are accused of crimes against enemy combatants?
50. Have you ever served as a juror in a trial before? What type criminal or civil?
51. Have you ever served as a member to a court martial?
52. Did you like or dislike the process?
53. Would you punish an NCO more severely than a Non-NCO for the exact same crime?
54. Do you expect more from and NCO than a non NCO? Why?
55. If an NCO made a mistake will you think less of their character than you would a non-NCO who made the exact same mistake.
56. How important is it to you to get your next promotion?
57. Is it still possible for you to get the next rank up?
58. What is more important to you substance or procedure?
59. What is more important to you appearance or function?
60. What if anything would you like to know about the deceased?
61. What if anything would you like to know about the witnesses that testify against the accused?
62. Are you initially predisposed to feel any of the following: no opinion on what the Marine is accused of; feel strongly against the Marine for what he is accused of; feel strongly against the accusation of murder by the Marine.

63. Do you feel that the Marine is being treated fairly or unfairly by the government's accusation of manslaughter?

64. What do you believe the convening authority if there really was one would want you to do?

65. Do you feel that the convening authority wants a conviction?

66. Do you feel that the C.A. wants an acquittal?

67. Why do you think that the C.A. picked you to sit on this panel?

68. What influence if any does public opinion have over your decision making?

69. Do you, a family member, or anyone you know have any training, knowledge or experience in the following areas:

Medical Profession

Legal Profession

Court System

Law Enforcement

Forensics

Psychology

70. What do you believe might affect your ability to be a fair and impartial juror in this case?

71. Here is a list of things some people do about government or politics. Have you happened to have done any of these things in the past year? Which ones?

- a. Written or called any politician at the state, local, or national level
- b. Attended a political rally, or speech
- c. Attended a public meeting on town or school affair
- d. Held or run for political office
- e. Served on a committee for some local organization
- f. Served as an officer for some club or organization
- g. Written a letter to the editor of a newspaper or magazine or called a live radio or TV show to express an opinion
- h. Signed a petition
- i. Worked for a political party
- j. Made a speech
- k. Written an article for a magazine or newspaper
- l. Been an active member of any group that tries to influence public policy or government

89. Do you have any plans to seek a career in law enforcement?

90. In your job, have you ever worked on the development or writing of Rules of Engagement, Escalation of force, PID, or similar concepts?

91. Have you worked on a staff or in a section that was tasked with writing or promulgating Rules of Engagement?

92. Do you belong to any social or civic organizations? If yes, please describe.

93. What are your hobbies or leisure time activities?

94. Do you know any attorneys or judges? If yes, who?

95. Do you have any specific problems at home or on the job that might affect your concentration during the trial?
96. Is there any other matter that could affect your ability to be a fair and impartial juror in this case?
97. Has anyone here given or received an order while in combat?
98. Has anyone ever been frustrated while in combat?
99. Has anyone ever received an order while in combat that at the time you may have had questions about?
100. Can you think of a actions that are taught one way while in a school setting, but maybe actually executed differently while in combat?

Respectfully requested,

By: /S/
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13 September 2010
Date

CERTIFICATE OF SERVICE

I certify that a copy of this document was served upon government counsel on August 26, 2010.

By: /S/

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