

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

United States of America,

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v.

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No. 21-203 (JDB)

Alexander Sheppard,

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Defendant.

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DEFENSE PROPOSED VOIR DIRE

Alexander Sheppard, through counsel, respectfully requests that the following questions be included in the Court's Voir Dire during jury selection.

Respectfully submitted,

A. J. KRAMER
FEDERAL PUBLIC DEFENDER

/s/

Maria N. Jacob
D.C. Bar No. 1031486
Assistant Federal Public Defender
625 Indiana Avenue, N.W., Suite 550
Washington, D.C. 20004
(202) 208-7500
Maria_Jacob@fd.org

January 6, 2021 – Specific Questions

1. Do you or someone you know have any direct or indirect connection to events at the U.S. Capitol on January 6, 2021?
2. Did you watch live news coverage of the events at the U.S. Capitol on January 6, 2021?
3. Since January 6, 2021, how much news coverage have you seen, heard, or read about the events that took place at the U.S. Capitol building on January 6, 2021, the investigations, arrests, and court proceedings of those individuals involved? – a lot, quite a bit, some, not much, or none at all?
4. Has most of the media coverage you have seen, heard, or read suggested the defendants are likely guilty or innocent of the charges brought against them?
5. Have you ever watched videos of what happened at the U.S. Capitol on January 6, 2021, on the news or on the Internet? If yes, how many times? (1 time, 2-3 times, 4-5 times, 6 or more times).
6. Have you ever read any news articles about Alexander Sheppard?
7. Have you ever watched video of Mr. Sheppard from January 6, 2021, on the news or on the Internet? If yes, how many times? (1 time, 2-3 times, 4-5 times, 6 or more times).
8. How do you get your news? Newspapers, TV, Radio, Social Media, Podcasts?
9. Do you use social media? If yes, what platform(s) do you use, and what do you use them for?
10. Do you follow anyone on any social media platform who regularly reports or comments on the events of January 6, 2021?

11. Have you or a close friend or family member been employed or had any association or connection with the House Select Committee to Investigate the January 6, 2021 events at the U.S. Capitol?
12. Did you attend, view, or listen to any portion of any Congressional hearing related to the events that occurred at the United States Capitol on January 6, 2021?
13. Are you, or any of your immediate family members or close friends currently employed by or have any affiliation with the media?
14. Do you tend to generally believe what is reported by the media?
15. Do any of you live or work at or near the U.S. Capitol? If so, were you working/living at the U.S. Capitol on January 6, 2021?
16. Have you ever been on the Capitol grounds or inside the Capitol building?
17. Are you, any family member, or a close friend an employee of the Capitol Police? Or the Metropolitan Police Department? Or the Secret Service? If so, were they working on January 6, 2021 at the U.S. Capitol Building?
18. Did you have a concern for the safety of yourself, a close friend, or family member on January 6, 2021?
19. Do you have any strong feelings or opinions about what happened on January 6, 2021, that would make it difficult for you to render a fair and impartial verdict if you are chosen as a juror?
20. Do you believe that you and/or the residents of Washington, D.C. were personally victims of the events which transpired at the U.S. Capitol on January 6, 2021?

21. From what you have heard or read, do you think that people who were arrested for involvement in the events on January 6, 2021 at the U.S. Capitol Building are likely guilty of the charges brought against them?
22. When thinking about the people involved in the events on January 6, 2021, would you describe their actions as an insurrection? Or an effort to overthrow the US government?
23. Do you have an unfavorable opinion of the people arrested for participating in the events at the U.S. Capitol on January 6, 2021?
24. Do you think that merely because someone (besides law enforcement) was present at the Capitol building on January 6, 2021, that they are guilty of criminal conduct?
25. Would your opinion concerning former President Donald Trump or his supporters make it difficult for you to serve as a fair and impartial juror in this case?
26. Would you describe any of the people arrested for their involvement in the events on January 6, 2021 at the U.S. Capitol building as conspiracy theorists? Criminals? Or White supremacists?
27. Do you have strong feelings about persons who do not accept the results of the 2020 Presidential Election?
28. Do you think that your political views, or those of your spouse or partner, will affect your service as a juror in this case?
29. Have you or a close friend or family member previously been called for jury service for a trial related to the events of January 6, 2021?

General Questions

30. The government has the burden of proving that Mr. Sheppard is guilty beyond a reasonable doubt, and he is presumed innocent unless and until the government meets

that burden. This burden of proof never shifts to Mr. Sheppard, and because the defendant is presumed innocent, he need not offer any evidence. Would you have any difficulty or hesitation with respecting the high burden of proof the government is held to? Would the fact that Mr. Sheppard has been charged make it difficult for you to presume he is innocent of those charges at this time?

31. Would you be able to keep an open mind and presume that a defendant charged with a crime is innocent unless and until proven guilty beyond a reasonable doubt?
32. If the United States fails to prove Mr. Sheppard's guilt beyond a reasonable doubt, he must be found not guilty. Can you think of any reason that would interfere with your ability to follow and apply this principle of law?
33. Do you currently have an opinion regarding Mr. Sheppard's guilt or innocence in this case?
34. A defendant has a constitutional right not to testify, and, if Mr. Sheppard decides not to testify, I will instruct you that you may not hold that silence against him in any way. Would you have any difficulty following that instruction? Would you expect that Mr. Sheppard should testify regardless of his constitutional right not to testify?
35. Have you, a family member, or a close friend ever worked for any of the following organizations: First, any type of federal, state, or local law enforcement agency, including the Metro Transit Police Department, the Metropolitan Police Department, the U.S. Marshals Service, the Capitol Police, the Park Police, the Secret Service, the Federal Bureau of Investigation, the Drug Enforcement Administration, or any local police department? Second, a local, state, or federal prosecutor's office such as the Office of the Attorney General for the District of Columbia, the United States Attorney's Office, or a

state's attorney or commonwealth attorney? Third, any public defender, or private criminal defense office? Fourth, any jail, prison, or other type of penal institution? Fifth, a private security company? Do you have opinions about any of these organizations that would interfere with your ability to be a fair and impartial juror?

36. Do you have strong opinions about criminal defendants, defense attorneys, or prosecutors that would make it difficult for you to render a fair and impartial verdict if you are chosen as a juror?
37. Do you belong to any Societies, Unions, Professional Associations, Political Action Organizations, Civic Clubs, Fraternities, Sororities, or other similar organizations?
38. There will be testimony from police or other law enforcement officers in this case. Would you tend to believe or disbelieve their testimony – or find them more or less credible than other witnesses – because they are police or law enforcement officers?
39. Have you, a family member, or a close friend ever been a victim of or witness to a crime?
40. Do you have any religious, moral, or philosophical reason that you believe would make it hard for you to be impartial and render a fair verdict in this case?