

Trial	Voir Dire Transcript Pages	Juror Number	Prejudgment Questions Answered Affirmatively*	Struck for Cause?	If Yes, Due to Concerns About Fairness/ Impartiality?	Notes About Reason
<i>Reffitt</i>	299-309	Juror 0038	6	No	N/A	
<i>Reffitt</i>	174-178	Juror 0045	5	Yes	Yes	Struck for cause on defense motion after stating, "I will be unable to follow your instructions."
<i>Reffitt</i>	168-172	Juror 0313	5	Yes	No	Struck for cause on joint motion because the juror worked at the Library of Congress on January 6.
<i>Reffitt</i>	49-54	Juror 0328	5, 6	Yes	Yes	Struck for cause on defense motion after the juror stated, "I don't think I can be 100 percent impartial."
<i>Reffitt</i>	422-434	Juror 0344	5	No		Juror put a question mark next to question five and explained: "And so the reason I put a question mark about that is if you asked me to say, Do I think January 6th was a bad thing? I would say, Absolutely. Yes. If you asked me if I have any opinions about this particular person or anything to that regard I would say, no." The juror stated an ability to be fair and impartial; there was no motion to strike.
<i>Reffitt</i>	286-299	Juror 0365	5	No		After answering yes to question five, the juror clarified that the juror had not formed an opinion about the guilt or innocence of the people, but rather, as "a D.C. resident, I think it was a lot of failures," including by the government."
<i>Reffitt</i>	224-235	Juror 0432	5, 6	Yes	Yes	Juror stated that juror was biased and was struck for cause on defense motion.
<i>Reffitt</i>	172-173	Juror 0443	5	Yes	Yes	Juror stated juror was in favor of conviction and was struck for cause on defense motion.
<i>Reffitt</i>	92-106	Juror 0457	5	No		Juror answered "yes" to question five because juror had strong feelings that people who entered the Capitol were "innocent." Juror was not struck for cause.
<i>Reffitt</i>	453-465	Juror 0464	5	Yes	No	Juror worked at the Library of Congress and had friends who were injured on January 6 but said juror said he would presume the defendant innocent and could set aside feelings. Juror was struck for cause on defense motion.
<i>Reffitt</i>	263-274	Juror 0514	5, 6	Yes	Yes	Juror admitted to "inherent biases I don't think I could overcome, as much as I'd try to."
<i>Reffitt</i>	340-351	Juror 0548	5, 6	Yes	No	Juror stated that it would be difficult to put opinions aside, but said would do absolute best. Juror was struck for cause on the Court's motion based on unavailability.
<i>Reffitt</i>	209-224	Juror 0728	5	Yes	No	Juror stated, "I do find it irreprehensible what they've done," but stated an ability to put aside everything that juror had seen and decide the case solely on the facts presented in the courtroom. Juror was later struck for cause based on a disqualifier of moving out of the District.

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<i>Reffitt</i>	112-129	Juror 1046	5	Yes	Yes	Juror stated could put feelings aside, but the Court observed that juror was struggling with that decision and that "is clearly impacted by those events." Juror struck for cause on the defendant's motion.
<i>Reffitt</i>	465-481	Juror 1054	5	Yes	No	Juror reported having seen specific news coverage of the defendant and his alleged firearm possession. Juror stated could make a decision based on the evidence presented and could "wipe the slate clean" from what he heard in the news. Juror ultimately struck for cause on the defendant's motion because of the Court's concern about juror's prior knowledge of the facts at issue.
<i>Reffitt</i>	434-453	Juror 1221	5	No		Juror answered "not sure" to question five. Juror clarified that it was a "sad event" to watch but that juror would not have any difficulty being fair and impartial.
<i>Reffitt</i>	83-88	Juror 1332	5	No		Juror stated he had strong opinions, but had no hesitation about his ability to be fair and impartial.
<i>Reffitt</i>	54-61	Juror 1419	6	No		Juror thought juror had read or seen something about Mr. Reffitt in the news coverage of January 6 but could not remember the specifics. Juror also reported, "I have very strong political beliefs. I have very strong views in general about the events of that day. . . . However, I am an attorney. I believe in the system, and I believe very strongly that I can be impartial."
<i>Reffitt</i>	358-369	Juror 1484	5	Yes	Yes	Juror struck for cause on Court motion after making odd comments about "QAnon people" and having a "hard time following some of your questions."
<i>Reffitt</i>	160-165	Juror 1486	5	No		Juror expressed confidence that juror could put any feelings aside and decide the case impartially.
<i>Reffitt</i>	61-68	Juror 1541	5, 6	Yes	Yes	Juror struck for cause on the defendant's motion after stating that juror was "predisposed towards the government" based on feelings about what occurred on January 6.
<i>Reffitt</i>	326-333	Juror 1655	5	No		Juror clarified that juror answered yes to question five "because I suppose when you asked the question about like, oh, do you have a bias or any specific thoughts about the events that occurred on that date, I sort of -- when I thought about that, I did sort of walk away from January -- and when I stopped reading the articles about it that week or the following week, I did kind of walk away from it being just like -- having an opinion about the events, which were just that it was sort of unnecessary and strange." Juror was "confident" juror could decide the case with an open mind and follow the judge's instructions.

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<i>Reffitt</i>	187-202	Juror 1675	6	No		When asked if the juror could "put your feelings about what happened that day aside and come to this courtroom with a clear mind and decide Mr. Reffitt's guilt or innocence based only on what you hear in the courtroom," the juror responded, "I mean, I'm not going to lie, yeah, but at the same time I would be nervous a little bit too." Juror ultimately said he could be fair and impartial and would follow the Court's instructions and was not struck for cause (nor was there any motion).
<i>Reffitt</i>	202-209	Juror 1747	5	Yes	Yes	Juror was struck for cause on the defendant's motion after stating her view that anyone who entered the Capitol was guilty and juror would not be able to follow the judge's instructions to set aside her views.
<i>Robertson</i>	64-73	Juror 0254	15	No		Juror said he thought he remembered reading about Robertson's case – the stick stood out. Juror also reported living on Capitol Hill. In explaining "yes" answer to Question 15, the juror said, "I knew several people who were in the Capitol that day, both staff and members of Congress, and have had conversations about the predicament that they were in and just the nature of what all happened that day. You know, I guess knowing from more of an inside perspective and what they went through, you know, makes it somewhat difficult in that regard." The juror nonetheless said he could still be fair/impartial. Juror qualified without objection.
<i>Robertson</i>	189-193	Juror 0429		Yes	Yes	Juror stated, "Both my wife and I consider ourselves pretty liberal. And she's the kind of person who won't talk to me for half a day if I do something wrong in one of her dreams, let alone something I actually do. So I fear that being on a January 6 related trial and finding the defendant innocent could have ramifications for me whether I believe that should happen or not."
<i>Robertson</i>	245-250	Juror 0474		Yes	No	Juror was struck for cause due to hardship because of an upcoming work trip.
<i>Robertson</i>	193-196	Juror 0505		Yes	No	Juror was struck for cause because of work hardship.
<i>Robertson</i>	265-268	Juror 0585		Yes	Yes	Juror reported working on a case involving one of the USCP officers who committed suicide. Juror said it would be difficult to be impartial because of that. Juror struck for cause.

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<i>Robertson</i>	160-171	Juror 0696		Yes	Yes	Juror was near the Capitol grounds on January 6, possibly around the same time as the offenses alleged in the case. Juror observed, "I think we all have somewhat of an opinion of that day. I think it's basically like -- it was chaos. And it was unruly violence." But juror said juror could set opinion aside. Juror was struck for cause at the request of both parties.
<i>Robertson</i>	136-142	Juror 0799		Yes	Yes	Juror stated, "They had no business doing what they were doing. They were 100 percent wrong. I don't care. I don't have no leniency towards them because they didn't care about us, us as a whole. So my personal opinion? They don't deserve no slack."
<i>Robertson</i>	279-282	Juror 0846		Yes	No	Juror struck for cause due to hardship because of trip to visit family the following week.
<i>Robertson</i>	121-130	Juror 0936		Yes	Yes	In striking the juror, the Court concluded, "Somewhat of a close call, but given what seems to be the closeness of the relationships, socializing regularly on a biweekly basis with a member of the Capitol Police who's living with a close family member, that and the somewhat equivocal answers that he gave about his confidence in being fair, the Court will strike for cause 936."
<i>Robertson</i>	256-265	Juror 1010	19	Yes	Yes	Juror stated, "Automatically thought guilty when I heard January 6th." Juror struck for cause.
<i>Robertson</i>	83-84	Juror 1027		Yes	No	Struck for cause because Recently moved to Arlington.
<i>Robertson</i>	156-160	Juror 1122		Yes	No	Juror was struck for cause because of language concerns.
<i>Robertson</i>	287-292	Juror 1160		Yes	Yes	Juror stated, "I'm a Washingtonian, born and raised, so, you know, this is my city. I feel violated." and "I don't think it would be fair to him to have me on the jury." Juror struck for cause.
<i>Robertson</i>	130-136	Juror 1219	15	No		Juror reported that, because of job position, juror "was fed information leading up to the events and advised my judges and executives on actions that we should do to protect ourselves." Juror nonetheless said juror could be fair. Juror qualified without objection.
<i>Robertson</i>	26-34	Juror 1431		Yes	Yes	Court found juror "would have a hard time setting his political views as well as his general views about the criminal justice system aside and follow the Court's instructions."
<i>Robertson</i>	23-26	Juror 1566	15	Yes	No	Juror drove home on January 6 past Capitol, lives on Capitol Hill, has been affected personally, was "outraged that people who come in our city and act so" Was ultimately struck for cause but because of two elderly sisters for whom juror was caretaker.

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<i>Robertson</i>	97-100	Juror 1567		Yes	Yes	"Well, I really felt bad about what happened at the Capitol, and somewhat I felt that everyone that entered the building that day were definitely wrong, in my -- you know, in my opinion." Juror was struck for cause for concerns that juror could not be fair/impartial."

***KEY:**

The "prejudgment" questions refer to those questions that are aimed at identifying issues who may have pre-judged the case to an extent that they cannot be fair and impartial. In Reffitt, those were Questions 5-6 ("Does anyone have such strong feelings or opinions about the events that took place at the U.S. Capitol on January 6, 2021, that it would make it difficult for you to serve as a fair and impartial juror in this case?" and "As you sit here, do you have an opinion about Mr. Reffitt's guilt or innocence in this case?"). In Robertson, those were Questions 15 and 19 (As I said, Mr. Robertson has been charged with six crimes related to Congress's meeting at the United States Capitol on January 6, 2021, to certify the Electoral College vote for President of the United States. Is there anything about the nature of these allegations that would prevent you from being neutral and fair in evaluating the evidence in this case?" and "I suspect that the vast majority of you will have some feelings about the events that took place on January 6th. But my question is, do you have such strong feelings about the events of January 6, 2021, that it would be difficult for you to follow my instructions and render a fair and impartial verdict if you were chosen as a juror?") In the analysis of the *Robertson* voir dire, we highlight a number of jurors who did not answer yes to either of these questions but answered other questions or made statements during voir dire that exhibited prejudgment or possible difficulties in being fair and impartial.