

ATTACHMENT 1

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA

v.

LUKE RUSSELL COFFEE

Defendant.

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Case No: 21-CR-327

PROPOSED VOIR DIRE

I. Public Questions

1. This is a criminal case entitled *United States v. Luke Russell Coffee*.

a. The defendant **Luke Russell Coffee** is charged with the offenses of Civil Disorder; Assaulting, Resisting or Impeding Certain Officers Using a Dangerous Weapon; Entering and Remaining in a Restricted Building or Grounds with a Deadly or Dangerous Weapon; Disorderly and Disruptive Conduct in a Restricted Building or Grounds with a Deadly or Dangerous Weapon; Engaging in Physical Violence in a Restricted Building or Grounds with a Deadly or Dangerous Weapon; Disorderly Conduct in a Capitol Building; and Act of Physical Violence in a Capitol Building or Grounds. The defendant was arrested in connection with the events that occurred at the U.S. Capitol on January 6, 2021. Do you know or have you heard anything about this specific case?

2. The Government in this case is represented by AUSAs Tighe Beach and Raymond Woo.

Defendant Luke Russell Coffee is a resident of Texas and is represented by Anthony Sabatini.

Do you know any of these people?

3. [Each side will introduce its witnesses by name, general area of residence, and

employment.] Do you know any of the witnesses who have been introduced to you?

4. Do you know anyone else in the courtroom, including myself or any of the other members of the jury panel?

5. Do you, members of your immediate family, or your close personal friends now work for, or ever worked for, any law-enforcement agency? This includes any police department in or outside the District, special police officers, prosecutors' offices such as the state's attorney or U.S. Attorney, United States Capitol Police, DC Metropolitan Police Department, Park Police, FBI, Dept. of Justice, Homeland Security, sheriffs' departments, Secret Service, or any other law-enforcement agency.

6. Have you, members of your immediate family, or your close personal friends ever gone to law school, worked as a lawyer, or worked in a law office?

7. Do you, members of your immediate family, or your close personal friends live or work in or near the U.S. Capitol?

8. Do you have any difficulty reading, speaking, or understanding English?

9. I will be instructing the jury at the end of this trial that the testimony of a law enforcement witness should be treated the same as testimony of any other witness and that the jury should not give either greater or lesser weight to the testimony of a law enforcement witness. Is there any reason you would not be able to follow that instruction?

10. If you are selected as a juror in this case, I will instruct you to avoid all media coverage, including radio, television, podcasts, and social media, and not to use the internet with regard to this case for any purpose. That is, you will be forbidden from reading newspaper articles about this case, listening to radio and podcast stories about this case, watching TV news about this case, googling this case, blogging or tweeting about this case, or reading or posting comments

about this case on any social media sites. Do you have any reservations or concerns about your ability or willingness to follow this instruction?

11. Jurors are the sole judges of the facts. However, the jury must follow the principles of law as instructed by the judge. The jury may not follow some rules of law and ignore others. Even if the jury disagrees or dislikes the rules of law or does not understand the reasons for some of the rules, it is their duty to follow them. Do you have any personal beliefs that would make it difficult to follow the Court's legal instructions, whatever they may be?

12. If you are selected as a juror in this case, you must be able and willing to discuss the facts of the case and the law as I will state it to you with your fellow jurors. Do any of you feel that you will lack the ability or be unwilling to engage in discussions about the case during jury deliberations at the conclusion of the evidence in this case?

13. If you are selected as a juror in this case, you must be able to make your own decisions about whether the government has proven the offenses the defendant is charged with committing. Do you feel that you will not have the ability to make your own independent decisions about whether the government has proven that Mr. Coffee is guilty in this case beyond a reasonable doubt?

14. If you are selected as a juror in this case, you cannot discuss the case with your fellow jurors before you are permitted to do so at the conclusion of the trial, or with anyone else until after a decision has been reached by the jury. Therefore, you cannot talk about the case or otherwise have any communications about the case with anyone, including your fellow jurors, until I tell you that such discussions may take place. Thus, in addition to not having face-to-face discussions with your fellow jurors or anyone else, you cannot communicate with anyone about the case by way of the Internet, texting, Facebook, Twitter, or by any other means. If you feel

that you cannot do this, then you cannot let yourself become a member of the jury in this case. Do you feel that you will not be able to comply with this restriction?

II. Private Questions

15. Have you had any unpleasant experiences with the police, a prosecutor, or other law enforcement, whether here in D.C. or elsewhere, that would make it difficult for you to be a fair juror in this trial?

16. Have you had any unpleasant experiences with a defense attorney or defense investigator, whether here in D.C. or elsewhere, that would make it difficult for you to be a fair juror in this trial?

17. This case is being prosecuted following an investigation, in part, by the FBI. Do you have strong feelings about the FBI or any other law enforcement agency, whether positive or negative, that would affect your ability to render a fair and impartial verdict in this case?

18. Have any of you had an experience as a member of a grand jury or as a juror in a previous trial? If so, is there anything about that experience that makes you feel you could not give either the defendant or the government a fair trial in this case?

19. Have you, members of your immediate family, or close personal friends ever been arrested for, convicted of, or charged with a crime or been a victim of or witness to a crime?

20. Do you have feelings about the 2020 Presidential Election that would impair your ability to render a fair and just decision in this case?

21. Do you have feelings about people who do not agree with the result of the 2020 Presidential Election that would affect your ability to be a fair and impartial juror in this case?

22. Do you or someone close to you have any personal or professional connection to events at the U.S. Capitol on January 6, 2021?

23. Have you ever watched video of what happened at the U.S. Capitol on January 6, 2021 on the news or on the Internet?

- a. If yes, how many times have you seen videos of that event?
- b. If yes, will you have any difficulty putting aside any opinions you may have formed about the people involved in those events, following the law as I explain it to you, and deciding the case in a fair and impartial manner based solely on the evidence presented in court?

24. A House Select Committee held hearings concerning the events at the U.S. Capitol on January 6, 2021. Have you watched the televised hearings of the House Select Committee investigating January 6?

- a. If yes, how many times have you watched the hearings?
- b. If yes, will you have any difficulty putting aside any opinions you may have formed about the people involved in those events, following the law as I explain it to you, and deciding the case in a fair and impartial manner based solely on the evidence presented in court?

25. No matter what you have heard or seen about events at the U.S. Capitol on January 6, 2021, and any opinions you might have formed about those events, would you have any difficulty setting your opinions aside and deciding this case in a fair and impartial manner based solely on the evidence presented in court?

26. As you sit here, do you have an opinion about the defendant's guilt or innocence in this case?

27. If you learned that a witness or defendant attempted to lead a prayer, would their religious belief cause you to look more favorably or unfavorably on them?

28. Would serving as a juror in this case be an extreme hardship to you? We expect this trial may last one week.

29. Do you have a health or physical problem that would make it difficult to serve on this jury?

30. Are you taking any medication that might impair your ability to sit as a juror in this case?

31. Do you have any problems with your hearing or your eyesight that would prevent you from watching and comprehending videos, or seeing still photographs, displayed on a television screen here in the courtroom?

32. Do you have any religious, moral, or philosophical beliefs that would affect your ability to sit as a juror in a criminal case and be fair and impartial to both the government and the defendant?

33. Is there any other reason that would make it difficult for you to sit as a juror in this case?