

Juror Number _____

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA)
)
 v.) CRIMINAL NO. 21-cr-246 (ABJ)
)
 EDWARD BADALIAN)

Juror Questionnaire

TO THE PROSPECTIVE JUROR:

You have been selected to serve as a potential juror for a trial that is scheduled to begin with jury selection on February 27, 2022, at 9:30 a.m. The trial will concern the events that occurred at the U.S. Capitol Building on January 6, 2021. You are here today only for one purpose: to fill out a juror questionnaire. The trial and jury selection process will **not** start today. Once you have completed the questionnaire, you are done for the day. You will be given additional instructions before you leave the courtroom about when to return for jury service for this case.

The purpose of this questionnaire is to help the Court and the lawyers determine whether you can serve as a fair and impartial juror. A fair and impartial juror is one who can decide the case based solely on the evidence presented at trial and the instructions about the law that will be given by the Court. The information you provide in response to these questions will be given to the Court and the parties. When you return for the trial itself, you likely will be asked follow-up

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questions about your responses. Filling out the questionnaire now will speed up the process of jury selection.

It is important that you understand that the Court is sensitive to your privacy. The information contained in your answers will be used only by the Court and the parties to select a fair and impartial jury. No other prospective jurors will hear or see your answers. After a jury has been selected, all copies of your responses to this questionnaire will be returned to the Clerk of the Court and kept in confidence. It will only be disclosed, if at all, with names and other identifying information removed. The parties are under Court order to maintain the confidentiality of any information they learn in the course of reviewing this questionnaire.

You are expected to sign the questionnaire with your juror number only. Your answers will have the effect of a statement under oath.

Please follow the instructions below when answering the questionnaire:

1. Please answer each question below as candidly and completely as you reasonably can.
2. Please keep in mind that there are no “right” or “wrong” answers, only complete and truthful answers, or incomplete and untruthful answers.
3. Please fill out the entire questionnaire.
4. Please write your juror number in the upper right corner of each page of the questionnaire. We ask you to do this in case a page becomes detached from the questionnaire, and we need to match it with the other pages.
5. Do not leave any questions blank. If a question does not apply to you in any way, write “N/A,” or “not applicable,” rather than leaving the form blank.
6. If you cannot answer a question because you do not understand it, write “Do not

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understand” in the space after the question. 2

7. If you cannot answer a question because you do not know the answer, write “Do not know” in the space after the question.
8. Please use, if available, a pen with black or blue ink. If we cannot read an answer, you may be required to re-write the answer.
9. Do not write anything on the back of any page.
10. After you have completed the questionnaire, please “sign” the final page with your juror number and return to a member of the court staff.

In addition, now that you are a prospective juror, you **must** follow the instructions listed below. That means you must follow these instructions between today and when you appear for jury service in this case. The failure to follow these instructions can jeopardize the jury selection process and possibly the fairness of the trial.

- Do not read anything whatsoever about the events of January 6th or this case. Please avoid any social media accounts that may relate to January 6th or this case.
- Do not read or listen to any media accounts whether in a newspaper, on the internet, on television, on the radio, or on any electronic or social media of any kind concerning the events of January 6th or this case.
- Do not watch, listen to, or read about any hearing that has already taken place or might take place before Congress about the events of January 6th or this case.
- Do not watch, listen to, or read about any reports issued by Congress about the events of January 6th or this case.
- Do not discuss your service as a potential juror in this case with anyone, including your friends, family members, or employer, except to the extent logistically necessary to disclose your service.

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- Do not conduct any research, including on the internet, about this case.
- Do not discuss or post anything about this case on any electronic or social media, including Facebook, Twitter, Snapchat, e-mail, text message, any blog, website, or chat forum, or any other media of any kind.
- Do not let anyone, including friends, family members, court personnel, parties in this case, or persons involved in the case talk to you about your views or any aspect of this case except officially in the courtroom.

Thank you for your cooperation with these instructions and for your careful and honest responses to the questionnaire. Your forthright and full cooperation is of vital importance to the administration of justice in this case.

AMY BERMAN JACKSON
United States District Judge

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PRELIMINARY MATTER

1. Once the jury is selected in this case, it may take a week or more for the presentation of evidence. After the presentation of evidence, the jury will deliberate. The typical trial day lasts from 9:30 a.m. to 5:00 p.m.—with an hour-long lunch break and periodic additional breaks as needed—Monday through Friday, with half days on Friday ending at approximately 12:30 p.m. Would this schedule present an extreme hardship for you?

Yes ____ No ____

a. If yes, please explain:

BACKGROUND INFORMATION

2. Are you able to complete this questionnaire without another’s assistance?

Yes ____ No ____

3. How long have you lived in Washington, D.C.? _____

4. If you have lived in Washington, D.C. for less than two (2) years, where did you live before?

5. What is your neighborhood called?

6. Do you have any physical or medical condition, or do you take any medication, that would make it unusually difficult for you to serve as a juror in this case or to sit for long periods of time without a break?

Yes ____ No ____

a. If yes, please explain.

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- 7. Do you have any moral, religious, or ethical beliefs that prevent you from sitting in judgment of another person? Yes ___ No ___
- 8. Do you have any trouble hearing? Yes ___ No ___
 - a. If yes, would a hearing assistance device help you? Yes ___ No ___
- 9. Do you have any problem with your eyesight that is not treatable through the use of corrective lenses, such as eyeglasses or contact lenses? Yes ___ No ___
 - a. If yes, would those problems prevent you from seeing clearly inside the courtroom or make it difficult for you to read evidence? Yes ___ No ___
- 10. The Court will require everyone present in the courtroom during trial to wear a protective mask except the judge when he is speaking, a lawyer who is speaking or questioning a witness, and the testifying witness. Would worries about COVID 19 still raise such serious concerns that it would prevent you from being present and able to focus in court for the duration of the trial?
Yes ___ No ___
- 11. Is there anything about you that the Court should know that might affect your ability to be a fair and impartial juror in this case?
Yes ___ No ___
 - a. If yes, please explain.

EMPLOYMENT AND EDUCATION

12. What is your work status? (Check all that apply.)

- Employed full time _____
- Employed part time _____
- Full- or part-time volunteer Unemployed _____
- Full- or part-time student Retired _____
- Unable to work due to disability Other (please specify) _____

13. Have you or a close friend or family member ever been employed at the United States Capitol in any capacity? Yes ___ No ___

14. Have you or a close friend or family member ever been employed by the Federal Government? Yes ___ No ___

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15. If you have a spouse or significant other, please list their current occupation and employer.

16. Have you or a close friend or family member ever served in the armed forces?

Yes ____ No ____

17. Do you have such strong feelings about firearms or the laws concerning firearms that would make it difficult to be a fair and impartial juror in this case?

Yes ____ No ____

ORGANIZATIONAL AFFILIATIONS AND ACTIVITIES

18. Have you or a close friend or family member in the last five (5) years attended a rally, protest, demonstration, or march of any type?

Yes ____ No ____

PROXIMITY TO EVENTS OF JANUARY 6TH

19. Have you ever been on the Capitol grounds or inside the Capitol building?

Yes ____ No ____

20. Were you or a close friend or family member living on Capitol Hill on January 6, 2021?

Yes ____ No ____

21. Were you or a close friend or family member at the Capitol on January 6, 2021?

Yes ____ No ____

22. Did you have a concern for the safety of yourself, a close friend, or family member on January 6, 2021?

Yes ____ No ____

PRIOR JURY SERVICE

23. Have you ever served on a grand jury?

Yes ____ No ____

24. Have you ever served on a jury in a trial?

Yes ____ No ____

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a. For each jury service, please indicate:

Approx. Year	Civil or Criminal	Verdict Reached?
_____	_____	YES NO
_____	_____	YES NO

25. Have you ever served as a jury foreperson? Yes ____ No ____

26. Was there anything about your jury service that left you disappointed or dissatisfied with the court or criminal justice system? Yes ____ No ____ Not applicable ____

27. Was there anything about your jury service that would affect your ability to be a fair and impartial juror in this case? Yes ____ No ____

28. Have you or a close friend or family member previously been called for jury service for a trial related to the events of January 6th? Yes ____ No ____

MEDIA EXPOSURE

29. What are your primary sources for local and national news? (Check all that apply)

Blogs/websites _____

Internet _____

News magazines ____ Newspapers (including online) ____ Podcasts ____ Radio ____

Social Media ____ TV/cable ____ Word of mouth/conversations ____ Other sources (specify) ____ Do not follow the news ____

30. List in order your top three news sources (e.g., by naming the specific newspaper, channel, website, etc.)

a. _____

b. _____

c. _____

31. Please check the sites on which you have accounts or profiles (check all that apply):

Facebook ____ Reddit ____ Twitter ____

Instagram ____ Rumble ____ YouTube ____

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Gab _____ Signal _____ WhatsApp _____
 LinkedIn _____ Snapchat _____
 MeWe _____ Telegram _____
 Parler _____ Truth Social _____
 Periscope _____ Tumblr _____

32. There is likely to be media coverage of this case. To assure that the jury’s decision in this case is not based upon influences outside the courtroom, the Court instructs that you must avoid reading about the case in the newspapers or listening to any radio or television reports concerning this case including news coverage or communications on the internet or social media. You may not discuss or communicate about this case with your family, friends or co- workers or anyone else including on the internet or social media. Also, until you begin deliberations after the close of all evidence, you may not communicate about this case with your fellow jurors. Are you able to follow these instructions?

Yes _____ No _____

KNOWLEDGE OF TRIAL PARTICIPANTS AND THE CASE

The charges in this case arise out of events that occurred in Washington, D.C., on January 6, 2021. There is nothing wrong with having heard or read something about this case. It is important, however, that you truthfully and fully answer the following questions concerning your knowledge about the case and trial participants.

33. The judge who will preside over this case is The Honorable Amy Berman Jackson of the United States District Court for the District of Columbia. Do you know, or have you had any social or professional contact with, Judge Berman Jackson or any of her staff?

Yes _____ No _____

34. The people listed below are lawyers and paralegals who will be representing the United States in this case. Do you know or have you had any social or professional contact with any of them or any of their family members?

1. Kimberly L. Paschall.
2. Anthony W. Miriano.
3. David Smith.

35. The defendants in this case are the following individuals. Do you know or have you had any personal, social, or professional contact with any of them or any of their family members?

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1. Daniel Joseph Rodriguez.
 2. Edward Badalian.
36. In this case, the defendants will be represented by the following lawyers from various parts of the country. Do you know or have you had any social or professional contact with any of them or any member of their staff?
1. Katharine A. Tanaka.
 2. Margaret W. Lambrose.
 3. Rebecca A. Levy.
 4. Kira A West.
 5. Robert M. Helfend.
37. A list is attached at the end of this questionnaire containing the names of people who may either be witnesses in the case or who may be discussed during the trial. Please review the list. Do you recognize any of the names on the list? Yes ____ No ____
- a. If so, please identify the person(s): _____.
38. Did you vote in the last presidential election? (Neither the Court nor the parties will ask you to identify for whom you cast your vote if you, in fact, voted.) Yes ____ No ____
39. About how many videos have you seen from the events that occurred at the United States Capitol on January 6, 2021?
- No videos ____ Some videos ____ A lot of videos ____
40. Did you watch live news coverage of the events at the United States Capitol on January 6, 2021? Yes ____ No ____
41. Have you watched or read news coverage of the events at the United States Capitol after January 6, 2021? Yes ____ No ____ If "yes," how much?
- Little news coverage ____ Some news coverage ____ A lot of news coverage ____
42. Do you follow anyone on any social media platform who regularly reports or comments on the events of January 6, 2021? Yes ____ No ____
43. 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 6th events at the United States Capitol? Yes ____ No ____
44. 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? Yes ____ No ____

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45. Do you have such a strong opinion about any aspect of the events that occurred at the United States Capitol on January 6, 2021, that would affect your ability to be a fair and impartial juror in this case? Yes ____ No ____
46. Have you read, seen, or heard anything about protestors coming from California to Washington, D.C. on January 6th?
Yes ____ No ____
47. Have you read, seen, or heard anything about certain protestors from California that would affect your ability to be a fair and impartial juror in this case? Yes ____ No ____
48. Have you read, seen, or heard about any allegations regarding the defendants — Edward Badalian — Daniel Joseph “DJ” Rodriguez - in this case? Yes ____ No ____ Have you read, seen, or heard anything about the defendants— Edward Badalian — Daniel Joseph “DJ” Rodriguez — that would affect your ability to be a fair and impartial juror in this case?
Yes ____ No ____

EMPLOYMENT WITH LAW, LAW ENFORCEMENT, AND THE COURTS

49. Have you or a close friend or family member ever worked in any aspect of the legal field as a lawyer, prosecutor, criminal defense attorney, legal secretary, paralegal, court reporter, investigator, law clerk, judge, etc.? Yes ____ No ____
50. Have you or a close friend or family member ever applied for employment with, were employed by, or received training by any local, state, or federal law enforcement agency? Yes ____ No ____
51. If you answered yes to questions 50 or 51 would any of those experiences affect your ability to be a fair and impartial juror in this case? Yes ____ No ____
52. Several witnesses in this case will be law enforcement officers. You will be instructed that the testimony of a law enforcement officer is to receive no greater or no lesser weight simply because that witness is a law enforcement officer. Would you have any difficulty in following that instruction? Yes ____ No ____

EXPERIENCE WITH CRIME AND VIOLENCE

53. Have you or a close friend or family member ever been the victim of a crime, reported or not? Yes ____ No ____
54. Have you or a close friend or family member ever been a witness to a crime, whether or not it was reported to the police? Yes ____ No ____

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56. Have you or a close friend or family member ever testified as a witness in any court proceeding? Yes ____ No ____
57. Have you or a close friend or family member ever been arrested, charged, prosecuted, or convicted of any crime other than for a traffic violation? Yes ____ No ____
58. If you answered yes to any of questions 54-57, would that experience affect your ability to be a fair and impartial juror in this case? Yes ____ No ____

LEGAL PRINCIPLES

59. An indictment is not evidence. It is a document that sets forth the charges made against the defendant; it is an accusation. It may not be considered as any evidence whatsoever of a defendant's guilt. Can you think of any reason that would interfere with your ability to follow and apply this principle of law? Yes ____ No ____
60. A defendant is presumed innocent and cannot be found guilty unless the jury, unanimously and based solely on the evidence in this case, finds that the government has proven his guilt beyond a reasonable doubt. The burden of proving guilt rests entirely with the government. The defendant is not required to prove his innocence. Can you think of any reason that would interfere with your ability to follow and apply these principles of law? Yes ____ No ____
61. The United States has the burden of proving its case beyond a reasonable doubt as to each defendant and each individual count on the indictment separately.
1. If the United States proves a defendant's guilt beyond a reasonable doubt, the defendant must be found guilty. Can you think of any reason that would interfere with your ability to follow and apply this principle of law? Yes ____ No ____
 2. If the United States fails to prove a defendant's guilt beyond a reasonable doubt, the defendant 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? Yes ____ No ____
62. Under the law, a defendant accused of a crime does not have to testify in his or her defense. If a defendant does not testify, the jury may not consider that fact in any way in deciding whether a defendant is guilty. Can you think of any reason that would interfere with your ability to follow and apply this principle of law? Yes ____ No ____
63. The charges in this case include conspiring to obstruct an official proceeding, destroying government property, theft of government property, obstruction of law enforcement during civil disorder, tampering with documents or proceedings, aiding and abetting, inflicting bodily injury on certain officers using a dangerous weapon, and entering and remaining in a restricted building or grounds. Is there anything about the charges,

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without more, that might affect your ability to fairly evaluate the evidence or determine whether the government has proven a defendant's guilt beyond a reasonable doubt?
Yes ___ No ___

64. 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?

Yes ___ No ___

CONCLUDING QUESTIONS

65. If you were selected to serve on this jury, would you consider and respect the view of other jurors even if their views differed from yours, in accordance with the Court's instructions? Yes ___ No ___

66. If, during the course of jury deliberations, a fellow juror should suggest that you disregard the law or the evidence and decide the case on other grounds, would you, as a juror, be able to reject that suggestion and abide by your oath to this Court to decide the case solely on the evidence and law as the Court has instructed you to do, without regard to sympathy, bias, or prejudice? Yes ___ No ___

67. Were there any questions in this questionnaire you did not understand?

Yes ___ No ___

a. If yes, please list the question numbers:

68. Is there anything beyond the points covered in this questionnaire that creates a question in your mind as to whether you could be a fair, objective, and impartial juror in this case?

Yes ___ No ___

a. If yes, please describe:

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CERTIFICATION

By signing below, I hereby declare under penalty of perjury that all of the answers to the above questions are true and correct to the best of my knowledge and belief. I have not discussed my answers with others or received assistance in completing the questionnaire. I have answered all of the above questions myself.

Date

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ATTACHMENT A

The following people may either be witnesses in this case or individuals who may be discussed during the trial. Please review the list and identify any names that you recognize.