

# The American Jury: A Voir Dire Simulation

## Procedures

### Step 1

Define voir dire and explain why it is used. Define how potential jurors are removed (challenge for cause, peremptory challenges)

### Step 2

Have each student fill out a juror questionnaire and give each a juror #.

### Step 3

Form 18 groups (2 students in each) and give each group a case (there are 9 cases included, if you have a smaller class use fewer cases). NOTE - Each case should be given to TWO groups. Assign one group to be the prosecution/plaintiff and one group to be the defense on EACH case.

### Step 4

Have each group write 8-10 questions they would like to ask potential jurors when doing voir dire for their case.

### Step 5

Do the voir dire for each of the cases. Call 4 potential jurors at random (by #). Have def. and pros. lawyers ask up to 5 questions to each potential jurors. Tell jurors to answer all questions the way they think their CHARACTER would answer. Def. and pros. lawyers may excuse potential jurors in 2 ways - For cause, which the judge (you) must approve or with a peremptory challenge, which they only have limited number of (1 or 2). If a juror is excused, call a replacement.

### Step 6

When 4 jurors are chosen, have them hear the case (just the one paragraph given) and vote (guilty, not guilty) based on how they believe their CHARACTER would tend to vote. NOTE- This is the least important part of the activity. Its more important that they understand the voir dire process and purpose.

### Step 7

Discuss their perceptions of the voir dire process and the pros and cons of voir dire.

Your case is about assault and battery. Shawn Cho an Asian-American citizen was coming out of the Pub, a local bar which Shawn Cho regularly attended, when he was attacked by two individuals, Colin Forya and Hope Less, that Shawn Cho worked with. There has been a long-standing rivalry between the two individuals and Shawn Cho because Shawn received a promotion when the other two didn't. Colin and Hope stated that they were at Hope's house the entire night.

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Your case is about blackmail and murder. Shirley U'jest had pictures of her boss Bo Brady, a member of the Senate, sleeping with a woman other than his wife. Shirley said that she would keep quiet about the ordeal as long as Bo Brady gave her an allowance of \$4,000 a month. Things went on like this for about 9 months. Then, Shirley said that Ho would have to pay her \$6,000 a month or she'd go public. In a fit of rage Bo Brady shot Shirley, killing her.

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Your case deals with a secretary, Bounty Hunter (An African-American), who is accused of conspiracy to embezzle money from her employer, Furby Nuggets, along with Veronica Closet and Drew Carey. Veronica and Drew were caught on surveillance embezzling money from Furby Nuggets. They have pled guilty to all charges, but claim that Bounty Hunter was the mastermind behind the project. Furby Nuggets also claims that Bounty Hunter has wanted to get back at her ever since she refused his request for a pay increase.

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Your case deals with a accountant, Bobin Forapples , who is suspected of embezzling money from his clients. He says his partner did it and that she is trying to frame him. His partner (Sue Dawson) says that is untrue. Bobin is a recovering alcoholic but hasn't had a drink in 5 months, he has no criminal record. Sue has just finished a messy divorce from her husband of 10 years. She doesn't have a criminal record, but her ex-husband was convicted of tax-evasion. Bobin was born in Poland and has a strong accent (he is an American citizen).

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Your case is about a police officer who shot and killed a homeless man (Jon Werty). The police officer is an African-American male who has been on the police force for 2 years. He is 29 years old. He claims the homeless man "looked like he had a gun pointed at me when I went to question him about an investigation I was conducting". No gun was recovered. The homeless man had been convicted of burglary and child abduction 2 years ago. A witness (another homeless person) claims the police officer seemed to be angry with Jon about something and just shot him in "cold blood". He claims he saw this from a trash bin and was lucky to not be seen by the police officer.

Your case deals with the crime of homicide. The defendant Mark Walmart is accused of killing his boss at a law firm. The victim, Mac Daddy, was a family man (wife and 2 sons) who attended church regularly. He gave Mr. Walmart (who has a criminal record) a job when nobody else would. The police suspect Mark was upset at Mr. Daddy because Mark did not receive a raise he thought he deserved. Supposedly, Mark used a gun kept by Mac in the office to shoot Mac in the head (point blank). Mark claims that he discovered his boss dead in the office and it looked like a suicide. Mark is 27 years old and Hispanic.

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Your case is about a high school student who is suspected of setting a police station on fire. His name is Bart Cimpleton and he is 17 years old. He has a reputation for pulling pranks, but does not have a criminal record. He is a member of CSF, the Anarchy Club and on the school's Mock Trial team. The police claim Bart was found unconscious, with a large bruise on his head in an ally near the station. A lighter and piece of paper with the police station address was in his shirt pocket. Bart claims he was cutting through the ally to go home, when suddenly he was attacked and knocked silly by two adult men.

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Your case is about a woman who is accused of blackmailing her doctor. Mary Mansion is 48 years old and is a single mother of 12 children. The doctor, Fred Phlintstone claims she planned to tell his wife that they were having an affair (which they were) if he did not provide her with drugs on a regular basis. Mary claims this is a lie, however she admits she has used drugs. The doctor has had numerous mistresses over the years and has since lost his license to practice medicine for drug violations.

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Your case is about a well-known gang leader (Rob Stuff) who is accused of stealing weapons from a gun shop. The police have a video showing a white male breaking into the shop. The police recovered one of the stolen guns with Rob's fingerprints on it. Rob Stuff is a white male, however he claims he was at a local church talking to the pastor. The Pastor confirms the alibi. Rob claims to have stayed out of trouble and has turned his life around.

## Juror Questionnaire

Student Name \_\_\_\_\_

Juror # \_\_\_\_\_

1. What is your ethnic background? (same as your own) \_\_\_\_\_
2. What is your gender? (same as your own) \_\_\_\_\_
3. Create a name \_\_\_\_\_
4. Create an age \_\_\_\_\_
5. Create an occupation \_\_\_\_\_
6. Create your family situation (married, children, etc.) \_\_\_\_\_

**PLEASE FILL OUT QUESTIONNAIRE:**

1. How do you feel about people of foreign decent living in the United States?
2. Do you think police officers are generally trustworthy?
3. Could you judge a person fairly if they had a past criminal record?
4. How do you feel about extra-marital affairs?
5. What is your attitude towards drug use?
6. Could you judge a gang member fairly in a criminal case?
7. How trustworthy do you think religious leaders are?
8. Have you ever been a victim of a crime?
9. What are your attitudes towards teenagers/young adults?
10. Do you have any biases against people of different ethnic backgrounds than your own?
11. Do you really believe that accused people are innocent until proven guilty?