

COMMONWEALTH OF MASSACHUSETTS

BRISTOL, ss.

SUPERIOR COURT
CRIMINAL ACTION NO.
BRCR2013-00983

COMMONWEALTH

vs.

AARON HERNANDEZ

Juror Questionnaire

The information that you provide in this questionnaire will be used by the Court and the parties to select a qualified jury in this case; that is, a jury that can render a verdict fairly and impartially based upon the evidence offered at trial. Both parties are entitled to a fair and impartial jury. This questionnaire and the jury selection process that we are about to begin is not meant to be intrusive; rather, it serves the important function of ensuring that a fair and impartial jury is selected to hear and decide this case.

It is very important that you answer these questions as completely and accurately as you can. Please print or write legibly with a pen and answer the questions as candidly as possible. There are no right or wrong answers to these questions. Honesty and candor are of the utmost importance. You have taken an oath promising to give truthful answers. The integrity of the process depends upon your truthfulness.

Please bear the following instructions in mind:

Do not consult, confer or talk with any other person in completing this questionnaire.

If you are unable to answer a question because you do not understand the question, please write "Do not understand" in the space after the question. Do not ask anyone, including court personnel, for clarification or assistance.

If you are unable to answer a question because you do not know the answer, please write "Do not know" after the question.

If you believe that your response to a particular question is of an especially sensitive or private nature and request that your response not be made public, please write the number of that question in your response to Question #51. Alternatively, if you would prefer not to write an answer to a particular question because of the especially sensitive or private nature of your response, please write "Private" after the question. The Court may still need to inquire about the topic, but will endeavor to do so bearing your concerns in mind.

Please do not write on the back of any page. Use the blank space at the end of the form (front side only), where there is insufficient room on the form for your answer to any question. When using this space, please include the number of the question(s) you are answering.

You will be permitted to leave for the day when you have completed the questionnaire. After you leave, do not discuss, by any means, any of the questions or your answers on this questionnaire with anyone, including members of your family, co-workers or other potential jurors. If anyone approaches you and attempts to discuss any aspect of this questionnaire, the jury selection process or any aspect of this case, you may not answer their questions.

Do not discuss by any means anything about this case with anyone and do not read, listen to or watch anything relating to this case. Until you are excused as a potential juror, or, if you are selected as a juror, until the trial is over, you may not discuss this case or allow yourself to be exposed to any discussions of this case in any format.

Do not conduct any research by any means about this case. Until you are excused as a potential juror, or, if you are selected as a juror, until the trial is over, you may not access Facebook, Twitter, any search engine, internet site or blog or other printed or electronic source for the purpose of trying to get any information about this case.

When you have completed the questionnaire, please sign it, affirming the truth of your answers and that you had no assistance in completing it.

As explained by the Court, you will receive further instructions about whether you need to return for the next phase of jury selection. If you have provided an e-mail address, these communications will be by e-mail.

The Court thanks you for your attention and willingness to participate in the jury selection process, an important duty of citizenship in our democracy.

1. Juror Number _____

2. Do you have any problem understanding English that would make it difficult or impossible for you to serve as a juror in a case? **Yes** ____ **No** ____

If Yes, please explain. _____

3. Are you currently taking any medications that might interfere with your ability to concentrate? **Yes** ____ **No** ____

If Yes, please explain. _____

4. Do you have any problem with your vision or hearing or any other medical issue that would make it difficult or impossible for you to serve as a juror in this case?

Yes ____ **No** ____

If Yes, please explain. _____

5. Have you been seated on a jury before? **Yes** ____ **No** ____

If your answer is yes, please answer the following:

Which type of jury service was it? Criminal ____ Civil ____ Both ____

Is there anything about your prior jury service that might affect your ability to be fair and impartial in this case? **Yes** ____ **No** ____

If Yes, please explain. _____

6. Have you ever studied or received training in medicine, psychology, psychiatry, social work or counseling? **Yes** ____ **No** ____

If Yes, please explain. _____

7. Have you received any training in law, law enforcement, or criminology?
Yes ____ **No** ____

If Yes, please explain. _____

8. Have you, any member of your family or close personal friend ever been involved with any group that advocates for or provides support to victims of crimes?
Yes ____ **No** ____

If Yes, please explain. _____

9. Do you, or anyone you know, personally know, had any contact with, or have any relationship to the defendant in this case, Aaron Hernandez of North Attleboro, any member of his family, or any of his friends?

If Yes, please explain. _____

10. In this case, Mr. Hernandez is being represented by Attorneys Charles W. Rankin and James L. Sultan of Rankin & Sultan in Boston and by Attorney Michael K. Fee of Latham & Watkins in Boston. Do you know or are you related to, or have you ever been represented by any of these attorneys or any lawyer or other person associated with any of these attorneys? **Yes** ____ **No** ____

If Yes, please explain how you know any of them. _____

11. The prosecutors in this case are Assistant District Attorneys William M. McCauley, Patrick O. Bomberg, and Brian Griffin with the Office of the District Attorney for Bristol County. Do you know or are you related to, or have you every been represented or prosecuted by any of these attorneys or any lawyer or other person associated with any of these attorneys? **Yes** ____ **No** ____

If Yes, please explain how you know any of them. _____

12. Are you employed by or related to any member of the Bristol County District Attorney's Office or the Attorney General's Office? **Yes** ____ **No** ____

If Yes, please explain.

13. The decedent in this case is Odin Lloyd of Dorchester. Did you, or anyone you know, personally know, had any contact with, or had any relationship to Mr. Lloyd, any member of his family, or any of his friends? **Yes** ____ **No** ____

If yes, please describe how you knew him. _____

14. Have you, any member of your family or close personal friend ever worked for or volunteered with any federal, state or local law enforcement agency (e.g., police, state trooper, sheriff, correctional officer, probation or parole officer, federal agent, security guard)?

Yes ____ **No** ____

If your answer is Yes, please identify the law enforcement agency.

15. Have you, any member of your family or close personal friend ever worked for or volunteered with the state or federal court system? **Yes** ____ **No** ____

If Yes, please explain. _____

16. Have you, any member of your family or close personal friend ever worked for or volunteered with a state or federal prosecutor's office? **Yes** ____ **No** ____

If Yes, please explain. _____

17. Have you, any member of your family or close personal friend ever worked or volunteered for a free legal clinic, the public defender's office or a similar agency?
Yes ____ **No** ____

If Yes, please explain. _____

18. Have you, any member of your family or close personal friend ever been the victim of, witness to, arrested for, or charged with a crime?

Yes ____ **No** ____

If Yes, please explain, including the name of the crime, that person's relationship to you if not you, and any sentence you or the relative or close friend received (including probation). _____

19. There are certain fundamental, constitutional principles that apply to this case and to all criminal cases and that it is vital that you understand. They are:
1. that the defendant is presumed to be innocent unless and until he is proven guilty by the Commonwealth;
 2. that the Commonwealth has the burden of proving beyond a reasonable doubt that the defendant is guilty, failing which he must be found not guilty by the jury; and
 3. that the defendant is not required to present any evidence on his behalf and is under absolutely no obligation to testify himself in this trial.

Do you have any difficulty at all in understanding or accepting each and all of these principles? **Yes** ____ **No** ____

If Yes, please explain. _____

20. Would you hold it against the defendant, Mr. Hernandez, if he does not testify in this case? **Yes** ____ **No** ____

If Yes, please explain. _____

21. Do you have a financial or other interest or stake in this case or its outcome such that you would stand to gain or lose anything depending how this case comes out?

Yes ____ **No** ____

If Yes, please explain. _____

22. Are you aware of any bias or prejudice that you may have in favor of or against the Commonwealth or the defendant in this case? **Yes** ____ **No** ____

If Yes, please explain. _____

23. Do you have any knowledge of this case gained from any source?

Yes ____ No ____

If Yes, please check where you have gained any knowledge about the case. Please check all that apply.

- Television Radio Newspaper Magazine Internet
 Social Media Family or friends Overheard discussions Other

If other, please explain. _____

24. Prior to today, how familiar, if at all, were you with this case?

- I had never heard of this case
 I recognize Mr. Hernandez's name but do not recall any details
 I remember the basic subject of this case but not much else
 I recall this case and can describe some details
 I have followed this case fairly closely

25. If you have gained any knowledge about this case from television, radio, newspapers, magazines, or the Internet (including social media), please check all of the potential sources listed below where you may have acquired such knowledge?

Television

- WLNE ABC 6
 WJAR NBC 10
 WPRI CBS 12
 WSBE
 WNAC FOX Providence 64
 WHDH 7 News (Boston)
 WCVB Newscenter 5 (Boston)
 WBZ CBS 4 (Boston)
 New England Cable News (NECN)
 Fox 25 Boston
 NESN
 CNN (Cable News Network)
 ESPN Sports Center

- Headline News (HLN)
- MSNBC
- Fox Sports
- Fox News
- TMZ
- Other (Please indicate): _____

Radio

- WBZ 1030 AM
- WEEI Sports Radio 93.7
- Sports Hub 98.5
- WBUR (NPR) 90.9
- WGBH (NPR) 89.7
- WUMD 89.3
- WSAR 1480
- WNEI 103.7
- WPRO (630 AM)
- WNBM (1340 AM)
- Other (Please indicate): _____

Newspapers

- Fall River Herald News
- New Bedford Standard Times
- Providence Journal
- Attleboro Sun Chronicle
- Taunton Daily Gazette
- Boston Globe
- Boston Herald
- USA Today
- New York Times
- Wall Street Journal
- Other (Please indicate): _____

Magazines

- Newsweek
- Time
- People

- US Weekly
- Rolling Stone
- Sports Illustrated
- ESPN Magazine
- GQ
- Cosmopolitan
- The New Yorker
- US News & World Report
- Other (Please indicate): _____

Tabloids

- The National Enquirer
- The National Examiner
- The Globe
- The Star
- Other (Please indicate): _____

Internet (including social media)

- Internet Chat Rooms
- Internet Web Sites
- Twitter
- Facebook
- Other (Please indicate): _____

26. Have you expressed or formed any judgment or opinion with respect to this case?

Yes ____ No ____

If Yes, please explain. _____

27. Do you own or possess any firearms? Yes ____ No ____

28. Do you have any views about the possession of firearms that would interfere with your ability to decide this case fairly and impartially? **Yes** ____ **No** ____

If Yes, please explain. _____

29. Do you or any member of your family have tattoos? **Yes** ____ **No** ____

30. Do you believe that Mr. Hernandez is more likely to be guilty of the charges in this case because he has tattoos than an individual without tattoos would be?

Yes ____ **No** ____

If Yes, please explain. _____

31. Mr. Hernandez, the defendant, is Hispanic and the decedent, Odin Lloyd, was African American. Is there anything about those facts that would interfere with your ability to render a fair and just verdict? **Yes** ____ **No** ____

If Yes, please explain. _____

32. Mr. Hernandez is Hispanic and his fiancé, with whom he has a child, is African American. Is there anything about those facts that would interfere with your ability to render a fair and just verdict? **Yes** ____ **No** ____

If Yes, please explain. _____

33. Does the fact that Mr. Hernandez is Hispanic make you feel that he is more likely to be guilty of the charges in this case than an individual who belongs to some other racial or ethnic group would be? **Yes** ____ **No** ____

If Yes, please explain. _____

34. Are you aware of any feelings based on ethnicity or race that might interfere, even in the slightest degree, with your ability to hear and decide this case impartially?
Yes _____ No _____

If Yes, please explain. _____

35. Have you had any personal experience with marijuana? Yes _____ No _____

36. There may be evidence presented in this case regarding possession or use of marijuana. Do you have any opinions about marijuana that would make you unable to decide this case on the evidence presented and the law stated by the court? Yes _____ No _____

If Yes, please explain _____

37. Are you a fan of the New England Patriots? Yes _____ No _____

If Yes, for how long have you been a fan? _____

38. Have you ever attended a New England Patriots game? Yes _____ No _____

If Yes, how many times? _____

39. In this case, you will hear evidence that the defendant was a professional football player for the New England Patriots. Is there anything about that fact that would impair your ability to be fair and impartial? Yes _____ No _____

If Yes, please explain. _____

40. Does the fact that Mr. Hernandez was a professional football player make you feel that he is more likely to be guilty of the charges in this case than an individual who did not play football professionally would be? **Yes** ____ **No** ____

If Yes, please explain. _____

41. Do you belong to any group or organization that is seeking to affect how the court system works? **Yes** ____ **No** ____

If Yes, please explain. _____

42. Can you decide the case solely on the basis of the evidence presented in the courtroom during the trial in a fair and impartial manner and apply the law as instructed by the Court?

Yes ____ **No** ____

If No, please explain. _____

43. Attached to this document as Attachment A is a list of potential witnesses and other persons whose names may be mentioned during the course of the trial. Please review the attachment and list which, if any, of the individuals you know and please describe how you know them.

44. Do you have any religious, moral or philosophical beliefs that would make it difficult for you to sit as a juror in this case? **Yes** _____ **No** _____

If Yes, please explain. _____

45. As a juror, you must follow the law, as the judge will provide it to you, in deciding this case. You must put aside any notions about what you thought the law requires or what you think the law should require and follow only the judge's instructions to you about the law. Will you be able to follow and apply the law as the judge gives it to you?

Yes _____ **No** _____

If No, please explain. _____

46. This case will draw a high degree of media attention. During the time that you are a juror, you would be barred from reading or watching media accounts of the trial, consulting external sources, doing any research about the case, including on the internet, and discussing the case with other people in any oral, written or electronic form. While you are a juror, you will not be permitted to post anything about the case on social media sites, such as Twitter or Facebook, and will not be permitted to publish anything about the case on a blog or any other on-line forum. Would you be able to abide by these rules for the entirety of the trial? **Yes** _____ **No** _____

If No, please explain. _____

47. Have you been contacted in connection with a survey that asked you about this case? **Yes** _____ **No** _____

48. Do you know any of the other potential jurors? **Yes** _____ **No** _____

If Yes, please indicate the name of any such person and how you know him/her. _____

49. Is there anything else that you feel would affect your ability to be a fair and impartial juror? **Yes** _____ **No** _____

If Yes, please explain. _____

50. Did you have any problems reading and understanding this questionnaire?

Yes _____ **No** _____

If Yes, please explain. _____

51. Did you have a response to any specific question above that you deem private or sensitive that you request not be made public at this time? If so, list the number of that question(s) here.

I do hereby affirm, under the pains and penalties of perjury, that I had no assistance in completing this questionnaire and the answers that I have given in this questionnaire are true and complete to the best of my knowledge and belief.

Signature

Juror Number

Print Name

E-Mail address

Telephone

Date

THIS PAGE OF THE QUESTIONNAIRE WILL BE MAINTAINED UNDER SEAL AND WILL BE USED BY THE COURT SOLELY FOR PURPOSES OF COMMUNICATING WITH POTENTIAL JURORS. IT WILL BE DESTROYED ONCE A JURY HAS BEEN SELECTED.