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4
5 **IN THE SUPERIOR COURT IN AND OF THE**
6 **COUNTY OF COCONINO FOR THE STATE OF ARIZONA**

7 **IN THE MATTER OF:**
8 **STATE OF ARIZONA,**

No. CR 2015-00862

DEFENDANT'S PROPOSED
JURY QUESTIONNAIRE

11 v.

12 **STEVEN EDWARD JONES,**

Hon. Dan Slayton – Div. 2

14
15 Defendant, by and through undersigned counsel, hereby submits the Defense's
16 proposed jury questionnaire. The Defense concurs with many of the proposed questions as
17 delineated in the State's proposed jury questionnaire. The changes to the State's proposed
18 jury questionnaire are highlighted in the Defense's attached jury questionnaire.

19 Respectfully submitted March 13, 2017.

20 **BURGES McCOWAN, PLC**

21 By B. M. Z.

22 Burges N. McCowan

Juror Number _____

LAST NAME: _____

FIRST NAME: _____

JUROR BADGE #: _____

GOOD CONTACT #: _____

(Assigned by the Court)

**IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF COCONINO**

STATE OF ARIZONA,

Plaintiff,

vs

STEVEN EDWARD JONES,

Defendant.

NO. CR 2015-00862

JURY QUESTIONNAIRE

(Assigned to the Honorable
Dan Slayton - DIV. 2)

JURY QUESTIONNAIRE

Your answers to the following questions are very important to the proceedings in this case. Although some of the questions are personal, the court participants will keep all of your answers **confidential**.

This questionnaire is designed to assist in determining whether you can serve as a fair and impartial juror in this case. You have just taken an oath to be truthful. It is very important that you answer all questions candidly and truthfully.

If you do not understand a particular question, please place a question mark next to that question, and go on to the next one.

Take all the time necessary to answer every question as fully and honestly as possible. Your complete written answers will save a great deal of time later on.

If you need more space to answer any question more completely, there is additional space at the end of the Questionnaire. When using this additional space, please indicate the question number next to your continued answer. Sign your questionnaire when you are finished. Your answers will have the effect of a statement given to the Court under oath.

DO NOT ATTEMPT ANY INVESTIGATION INTO THIS CASE. DO NOT LOOK IT UP ON THE INTERNET. IF YOU SEE A NEWSPAPER ARTICLE THAT YOU THINK MAY ADDRESS THIS CASE, DO NOT READ THE ARTICLE. DO NOT DISCUSS THIS CASE WITH ANYONE,

EVEN YOUR IMMEDIATE FAMILY MEMBERS.

Also, please be aware that although jury service in this case would involve a lengthy time commitment, if you are selected as a juror, you can qualify for reimbursement through the Arizona Lengthy Trial Fund, designed to compensate jurors who serve on lengthy trials. The increased compensation (beyond the normal \$12/day you receive as a juror) begins on the fourth day of trial and is based on the compensation you receive through your employment, but it can be as much as \$300 per day (unemployed or retired jurors qualify for \$28 per day). Information about this fund is available at the Jury Assembly's Room, so if you are interested, please ask for this information after you complete this questionnaire.

PLEASE PRINT:

1. NAME:

First Middle Last

Age: _____

2. Have you ever been convicted of a felony offense? Yes [] No []

If YES, when & where: _____

Were your rights restored? Yes [] No []

3. What is your native language?

English _____ Spanish _____ Navajo _____ Other _____

Do you have any difficulty reading, speaking or understanding the English language? Yes [] No []

4. Do you have any of the following? (Check all that apply.)

- _____ Hearing difficulties
- _____ Vision problems
- _____ Medical condition affecting attention
- _____ Difficulty sitting for long periods of time
- _____ Difficulty in dealing with stress or pressure
- _____ Principal care giver for ill person or for small children
- _____ Another problem of medical or personal nature which would make it impossible for you to serve as a juror.

If YES to any of the above, please explain: _____

5. Are you currently taking any medications that affect your memory or your ability to concentrate? Yes [] No []

If YES, please explain what the medication is and how it affects your ability to serve as a juror:

organizations or groups in which you participate?

12. What are the last two books you read?

13. What newspapers and magazines do you routinely read?

14. Do you routinely watch any particular news program on TV or listen to any radio talk shows? Yes [] No []

If YES, which ones?

15. Do you have any specialized/vanity license plate or bumper stickers on your car?
Yes [] No []

If YES, what are they and what do they say?

EMPLOYMENT

16. Place of employment & job title or description:

17. Length of present employment: _____

18. Do you supervise anyone in your employment? Yes [] No []

If so, how many people do you supervise? _____

FAMILY

19. Marital status: _____

If not married, do you have a significant other? Yes [] No []

Name of spouse/significant other: _____

Age of spouse/significant other: _____

Length of marriage: _____

Spouse's/significant other's occupation: _____

Please give the following as to each of your children, if any:

1st Child: Sex: _____ Age: _____ Occupation: _____

2nd Child: Sex: _____ Age: _____ Occupation: _____

3rd Child: Sex: _____ Age: _____ Occupation: _____

4th Child: Sex: _____ Age: _____ Occupation: _____

5th Child: Sex: _____ Age: _____ Occupation: _____

MILITARY SERVICE

20. Have you ever served in the military? Yes [] No []

If YES, please answer the following:

What branch: _____

Date of service: _____

Rank: _____

Type of discharge (honorable, general, etc.): _____

Ever serve in the military police? Yes [] No []

EDUCATION

21. How far did you go in school? _____

If you attended college, vocational or technical school what was your:

Major subject: _____

Name and Location of School: _____

What degrees if any, do you hold: _____

22. Have you ever studied or received training in medicine, nursing, psychology, psychiatry, sociology, social work or counseling? Yes [] No []

If YES, please explain:

23. Have you received any training in law, law enforcement, criminology, criminal justice, or the legal system? Yes [] No []

If YES, please explain:

LAW ENFORCEMENT/ LEGAL SYSTEM

24. Are you, or any of your **close** friends or relatives, involved in law enforcement or the legal profession (including but not limited to police officers, border patrol, FBI, Sheriff's Departments, Parole, Probation, Juvenile court, legal practice, law students, court personnel, or jail or prison staff)? Yes [] No []

If YES, please explain:

25. Are there any criminal charges pending against you now? Yes [] No []

If YES, please explain:

26. ~~The 5th Amendment to the Constitution provides that an accused in a criminal case need not testify or present any evidence. An accused is presumed innocent.~~ The law provides that an accused in a criminal case need not testify or present any evidence. Please check the answer that best expresses your opinion about this: Agree [] Disagree []

Please explain: _____

27. ~~The fact that an accused does not testify in the case exercises his or her right not to testify cannot be considered as a part of your deliberations. This is because the accused is presumed innocent. Would you think that the accused is probably guilty if he or she does not testify? Do you agree with this principle?~~
Yes [] No []

Please explain: _____

28. The law provides that an accused in a criminal case is presumed innocent. Please check the answer that best expresses your opinion about this:
Agree [] Disagree []

Please explain: _____

29. Would you think that it is more likely that the accused is guilty if he or she does not testify?
Yes [] No []

Please explain: _____

30. Do you understand that the defendant is presumed by law to be innocent, and that the State must prove jury must return a verdict of not guilty unless the State proves the defendant guilty beyond a reasonable doubt?

Yes [] No []

31. Do you agree with this principle? Yes [] No []

If NO, please explain:

32. The sentence or punishment of a defendant is **not** to be considered by the jury when reaching its verdict concerning guilt or innocence. Do you agree with this principle? Yes [] No []

If NO, please explain:

33. The State has the burden for proving the charges "beyond a reasonable doubt." The law does not require the State to prove the charges beyond any or all doubt. Do you agree with this principle? Yes [] No []

If NO, please explain:

34. The Judge will give you instructions that define the law. Those instructions may be different than your understanding or opinion. Can you follow the Judge's instructions even if you disagree with them? Yes [] No []

If NO, please explain:

35. Do you have a close friend or relative who has been in jail or prison, or is in jail or prison now? Yes [] No []

If YES, please indicate the following:

Relation	Charges	Outcome
_____	_____	_____
_____	_____	_____

36. What is your attitude in general toward law enforcement officers?

37. Have you, a member of your household, close relative, or a friend ever had an unpleasant experience with a police officer? Yes [] No []

If YES, please describe:

38. Have you, a member of your household, close relative, or a friend ever been accused or convicted of a crime? Yes [] No []

If YES, please describe:

If YES, do you believe you, a member of your household, close relative, or a friend were treated fairly? Yes [] No []

If NO, please explain:

39. Have you, or anyone close to you, been the victim of a crime, regardless of whether it was reported or unreported? Yes [] No []

If YES, please describe:

If YES, was anyone arrested or prosecuted? Yes [] No []

If YES, what was the outcome?

Do you feel justice was served? Yes [] No []

If NO, please explain why:

40. Have you or anyone else in your household ever owned any weapon(s)?

Yes [] No []

If YES, briefly describe who owned the weapon, what type of weapon it was, and the reason for having the weapon.

41. Have you ever felt in fear for your life? Yes [] No []

If YES, please briefly describe:

41. What would you change about the Criminal Justice System if you could?

SUBJECT MATTER

42. This case involves the a shooting that occurred on October 9, 2015, involving Steven Jones and death of a young man, named Colin Brough (deceased), and the shooting of three other young men, Nicholas Piring (injured), Nicholas Prato (injured), and Kyle

Zientek (injured). ~~The defendant,~~ Steven Jones, is charged with First-Degree Murder for the death of Colin Brough and six counts of Aggravated Assault for the injuries to Nicholas Piring, Nicholas Prato, and Kyle Zientek. Is there anything about this that would make it difficult to serve as a juror in this case? Yes [] No []

If YES, why?

43. This case has been the subject of various news stories and other media coverage. Have you seen, heard, read or otherwise been exposed to any information regarding this case? Yes [] No []

If YES, please explain:

44. If YES to the previous question: Will you be able to set aside any information you may have previously learned about the case and render a verdict based only on the evidence that is presented in court? Yes [] No []

If NO, please explain:

45. Is there anything about the nature of this case which causes you to have feelings or sympathies toward one side or the other? Yes [] No []

If YES, please explain:

46. There will be photographs and testimony from medical personnel regarding this event. Would you have difficulty in being a fair and impartial juror in light of this potential evidence? Yes [] No []

If YES, explain:

47. There may be DNA evidence in this case. You may have heard something in the news or from some other source about the use of DNA evidence in criminal cases. Please briefly describe what you recall hearing or reading.

48. Do you know of any reason why you could not sit as a juror for this trial, be absolutely fair to the defendant, and the State of Arizona, and render a verdict based solely upon the evidence presented to you in court during this proceeding?
Yes [] No []

If YES, please give details:

GENERAL SERVICE

49. Have you ever served on a jury? ("Served" means actually sworn as a juror and listened to evidence in a case.) Yes [] No []

If YES, please fill in the following:

Year	Criminal or Civil	Charge or Issue	Were you Foreperson?	What verdict?
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

50. Was your jury service a positive or negative experience, and why?

51. In your opinion, what qualities are most important for serving as a juror in a criminal case?

52. Do you have any religious, philosophical or other beliefs that might conflict with your duties as a juror? Yes [] No []

Please explain:

53. Below is a list of the parties and potential witnesses in this case, as well as a list of all of the attorneys currently employed by the Coconino County Attorney's Office and the attorneys for the defense.

Please circle the names of any people that you know, explain how you know each one, and state whether your relationship to that person would make it difficult for you to be fair and impartial juror in this case. (Please use extra lines provided below.)

1. Daniel Beckwith
2. Alex Chirovsky
3. Jason Cota
4. Bradley Gilbert
5. Matthew Hinte
6. Ken Hunter
7. Nick Jacobellis
8. Melanie Montano
9. Keegan Park
10. Casey Rucker
11. Kevin Sapp
12. Robert Berger, MD
13. Tom Bevel
14. Larry Czarnecki, ME
15. Russel Lane, FFD
16. Dr. Pam Potter
17. Michael Ray, MD
18. Daniel Wesche, MD
19. Terry Weaver, DPS
20. Scott Milne, DPS
21. Allison Lowder, DPS
22. Nick Acevedo
23. Austin Contreras
24. Jami Donaldson
25. Kayla Hartman
26. Chase Irwin
27. Adam Johnson
28. Chase Jones
29. Jayelin Kunkle
30. Michelle Leonard
31. Shay McConnell
32. Jacob Mike
33. Abbey Norcutt
34. Valerie Pabon
35. Nick Piring
36. Nickolas Pletke
37. Nick Prato
38. Paloma Rochin
39. Miqui Scollard
40. Katarina Tatkin
41. Hunter Todd
42. Zach Volpo

- 43. Courtney Waked
- 44. Kyle Zientek
- 45. Dr. Edward French
- 46. Stanley Kephart
- 47. Steven Jones (defendant)
- 48. Mikkel Libarle
- 49. Andrew Aldridge, MD
- 50. Amanda Conrad
- 51. Michael Mullen
- 52. Emilee Coultrap
- 53. Michael O'Hagan
- 54. Warren Jones

Attorneys at the Coconino County Attorney's Office:

- 1. Aaron Lumpkin
- 2. Ammon Barker
- 3. Angela Kircher
- 4. Ashley DeBoard
- 5. Blaine Donovan
- 6. Brian Furuya
- 7. Bryan Shea
- 8. Eric Ruchensky
- 9. Jane Nicoletti-Jones
- 10. Kathryn Fuller
- 11. Marc Stanley
- 12. Mark Huston
- 13. Michael Tunink
- 14. Nicholas Buzan
- 15. Paul Rubin
- 16. Rose Winkeler
- 17. Serena Serassio
- 18. Stacy Krueger
- 19. William Ring

Attorney for the defense:

- 1. Burges McCowan
- 2. Joshua Davidson

If you know any of the above listed persons, please list the person and indicate how you know him/her.

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Original of the foregoing e-filed
March 13, 2017.

Clerk of the Court
Coconino County Superior Court
200 N. San Francisco Street
Flagstaff, AZ 86001

Copy of the foregoing delivered
March 13, 2017 to:

Ammon Barker
Deputy County Attorney
Coconino County Attorney's Office
110 E. Cherry Ave
Flagstaff, AZ 86001

By B. McCowan
Burges McCowan

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