

IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF MULTNOMAH

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CIRCUIT COURT
FOR MULTNOMAH COUNTY

STATE OF OREGON

)

Case No:

19CR53042;
19CR53040;
19CR53035

Plaintiff

)

v.

)

Date of Hearing: June 8, 2022

GIBSON, LEWIS, &
SCHULTZ

)

)

Defendant

)

ORDER RELATING TO
JUROR QUESTIONNAIRE

District Attorney	Kalbaugh; Hughey	Bar No.	074335; 152776	Reporter	FTR 16B
Defense Attorney	Buchal	Bar No.	192168		

The parties have jointly presented a proposed juror questionnaire. The parties largely agree about the content of the questionnaire, but disagree on several points. Those points of disagreement are noted in the proposed questionnaire marked as Attachment A and filed with this Order. No party has requested a hearing. The Court resolves the points of disagreement as follows:

Question 1: State's Objection to "previously used names" field SUSTAINED. The question does not offer a basis to inquire for bias and intrudes unnecessarily on juror privacy.

Question 3: State's Objection to "gender" field OVERRULED. This is basic juror information, similar to age, marital status, parenthood status, etc. State's Objection to "preferred gender pronoun" SUSTAINED. Because only juror numbers will be used for voir dire, preferred gender pronouns are irrelevant to voir dire.

Question 14: State's Objection to "Who is your current employer" field OVERRULED. This is an appropriate inquiry on voir dire.

Question 17: State's Objection to list of various agencies OVERRULED. Defendants' proposed list adds specificity without significantly burdening jurors filling out the Questionnaire. State may add additional agencies if it so wishes.

Questions 18/19: State's objection to list of organizations OVERRULED. Defendants' propose list adds specificity without significantly burdening jurors filling out the Questionnaire. State

may add additional organizations if it so wishes. HOWEVER: the Court sua sponte orders that "member of your family" be changed to "household." "Family" is confusingly broad.

Question 31: State's objection to this question SUSTAINED. The Court will instruct the jury on the legal definitions to be used in this case. The question is potentially relevant only for the basis of improper conditioning.

Question 32: State's objection to this question SUSTAINED, for the same reasons as Question 31.

Question 37: State's objection to this question SUSTAINED, for the same reasons as Question 31.

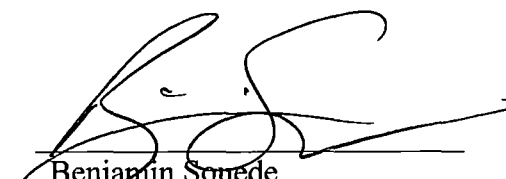
Question 38: State's objection to this question SUSTAINED, for the same reasons as Question 31.

Question 52: State's objection to this question OVERRULED. Defendants' proposed list adds specificity without significantly burdening jurors filling out the Questionnaire. State may add additional sources if it so wishes.

IT IS FURTHER ORDERED that after the members of the venire have filled out the questionnaires, the executed questionnaires, copies of the questionnaires and any information contained within the questionnaires may not be circulated to or provided to anyone other than the attorneys of record, the attorneys' staff, and the named defendants without prior and explicit permission from the Court.

6.23.2022

Dated


Benjamin Souede
Circuit Court Judge