

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

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MIDDLE DISTRICT OF FLORIDA
TAMPA, FLORIDA

UNITED STATES OF AMERICA,

Plaintiff,

Case No. 8:03-cr-77-T-30TBM

v.

SAMI AMIN AL-ARIAN, et al.,

Defendants.

**DEFENDANT AL-ARIAN'S PROPOSED QUESTIONNAIRE
FOR PROSPECTIVE JURORS**

Attached is Defendant Sami Amin Al-Arian's prospective juror questionnaire pursuant to Court Order. Given the jury trial date in this matter has been preliminarily scheduled for January 2005, and considering the high profile nature of this prosecution with its attendant media and political exposure, which may effect substantive and material issues involving jury selection, Defendant reserves the right to amend, expand and enhance this questionnaire. Defendant respectfully submits this questionnaire is not a substitute for comprehensive in court voir dire but rather facilitates and focuses the jury selection process on questions that must be asked of jurors to assure a fair trial. The defense reserves the right to voir dire on the sensitive issues that are identified from the questionnaire.

Respectfully submitted,


Sami Amin Al-Arian

Dated: Sept. 5, 2003
Coleman Federal Prison

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QUESTIONNAIRE FOR PROSPECTIVE JURORS

The questions on this form are asked to help the court and the attorneys learn something about your background and views on issues that may be related to this case. Its use will expedite the process of selecting a jury. The questions are not meant to invade your privacy, but to help select the best possible jury for this case. If there is any reason why you might not be able to give both sides a fair trial in this case, it is important to say so. Please answer each question as fully as you can. Your complete honesty is essential. If a question does not apply to you in any way, write N/A (Not Applicable), rather than leave the question blank. If you feel the answer is too personal, please say so in the space provided. You will have the opportunity to discuss your answer privately, with only the judge and lawyers in the case. Please keep in mind that there are no right or wrong answers, only complete and incomplete answers. The fact that a particular question is asked does not imply that the subject is an issue in the case. If you do not understand a question, need more space for your response, or wish to make further comments about any question, please use the extra sheet attached to the back of the questionnaire. You are instructed not to discuss this case or questionnaire with anyone, including your family or fellow jurors. It is important that your answers be your own.

The case for which you are being questioned is United States of America vs. Sami Amin Al-Arian, et al. In this case there are four defendants against whom the government has brought charges of having been part of a conspiracy to commit various acts of racketeering, provide material support to or for the benefit of terrorists, and commit certain federal crimes including the conspiracy to commit the murder of persons outside the United States. While other people were allegedly involved in this conspiracy, only four defendants are on trial. Each of the accused is entitled to a separate consideration and the case against each person must be decided individually.

An indictment is merely an accusation. It is proof of nothing. You may draw no inference against any defendant from the fact that he has been indicted. Each defendant has pleaded "not guilty" to each of the charges against him and he is presumed innocent. A defendant does not have to prove anything. The government bears the burden of proving the guilt of each defendant beyond a reasonable doubt.

Because there has been a high degree of publicity about this case and some of its participants, the Court has directed that this juror questionnaire be sent to you.

Your questionnaire will be reviewed only by the judge, the attorneys in the case and their staff. Neither your identity nor your answers will be released to the general public or the media, though you may be questioned about individual answers during the jury selection process.

Thank you for your cooperation.

PLEASE PRINT YOUR ANSWERS IN BLACK INK

Name _____ Juror # _____

1. Gender: ___ Female ___ Male Age: _____ Place of birth:

2. What is your racial/ethnic background?

3. In what area/neighborhood do you live?

a. How long have you lived in this area?

b. What other places have you lived?

4. Marital status: ___ Married for ___ years
___ Divorced ___ Separated ___ Widowed ___ Living with someone

4a. Please tell us the following about your children, stepchildren or grandchildren:

Relationship	Gender	Age	Level of Education	Occupation

5. Occupation and employer:

5a. If retired or unemployed, last occupation and employer:

5b. What other jobs have you held as an adult?

6. Occupation of spouse/significant other:

7. Parents (or stepparents) occupations: If retired or deceased, what did they do before?

Father:

Mother:

8. How far did you go in school?

8a. Major area(s) of study:

Degrees or certificates:

9. Have you ever served in the military?

Yes No Branch and highest rank:

10. Do you have any children or relatives who have served in the recent war in Iraq or in Desert Storm?

Yes No Branch and highest rank: _____ War in Iraq?

Yes No Branch and highest rank: _____ Desert Storm?

11. Have you or anyone close to you worked for, applied to or had training with: (Check all that apply)

a. Any law enforcement, security or investigative agency, including but not limited to the FBI, CIA, INS?

b. A prison, jail, detention center or probation services?

c. Any city or town attorney, Attorney General, state or federal prosecutor, or court?

d. Any law firm that practices criminal defense?

e. Any accounting, banking, financial institutions?

If Yes to any of the above, please state who (relation to you), where, when and circumstances.

12. Have you or anyone close to you ever worked in an effort to change a law or the enforcement of a law?

Yes No If Yes, please briefly describe that effort and your level of participation:

13. Name 3 people you know or have heard of whom you respect the most and explain why.

14. What civic, social, union, professional, fraternal, political, recreational or religious organizations do you belong to or participate in, and what offices, if any, have you held in any of these organizations?

15. Have you, or anyone close to you, ever participated in, or contributed money to, any group concerned with crime prevention or victim's rights? Yes No

If Yes, please describe the group, who was involved and their level of involvement.

16. How would you describe your religious or spiritual beliefs?

17. How important is your religion to you?

Very important Important Somewhat important Not important

18. Have you ever served on a jury? Yes No

<input type="checkbox"/> Civil	Date(s) _____	Nature of case(s) _____
<input type="checkbox"/> Criminal	Date(s) _____	Nature of case(s) _____
<input type="checkbox"/> Grand Jury	Date(s) _____	Nature of case(s) _____

a. Was there anything about your jury experience that would make it difficult to serve again?

Yes No If Yes, please explain. _____

19. Have you or anyone close to you been the victim of an act of violence [or abuse], reported or not?

Yes No If Yes, please explain who (relation to you) and circumstances:

Was there an arrest? Yes No What was the outcome?

20. Have you or anyone close to you been a witness to a crime or act of violence [or abuse], reported or not?

Yes No If Yes please explain who (relation to you) and circumstances:

[If eyewitness testimony] Were there other witnesses to the incident beside you? Yes No
Did you all recall the incident the same way or did you perceive things differently? Please explain.

Was there an arrest? Yes No What was the outcome?

Did you testify in court? Yes No

21. Have you or anyone close to you ever been arrested, charged or convicted for a crime other than a traffic ticket? Yes No If Yes, please explain who/relation to you, when, nature of the charge and circumstances:

[Politics]

1. Do you consider yourself to be politically: Liberal Conservative Moderate

2. What are the 3 most important political issues we face today?

3. Have you acquired any experience or training in fund raising, political campaigns, or faith-based community organizing? Yes No

If Yes, please give details: _____

4. Have you donated any time, money, or services to any political campaigns or issues?
_____ Yes _____ No

If Yes, please give details: _____

5. Do you believe that the protections of free speech extend both to citizens and non citizens?
_____ Yes _____ No If not, please explain. _____

6. Do you believe that the criticism of United States foreign policy is protected free speech under the First Amendment to the U.S. Constitution? _____ Yes _____ No Please explain. _____

7. Can a person criticize the United States government and still be patriotic?
_____ Yes _____ No Please explain. _____

8. Have you heard or read about any statements attributable to Dr. Al-Arian that were described as critical of the United States? _____ Yes _____ No.

8a. What were your reactions or impressions based on what you read or heard? _____

5. When you hear the phrase "occupied territories", what comes to mind and why?

6. Have you formed an opinion about the conflict between the Palestinian people and the Israelis?
_____ Yes _____ No Please explain. _____

6a. Based on this opinion, would it make it difficult for you to sit as a fair and impartial juror in this type of case? _____ Yes _____ No _____ Unsure

7. Have you formed an opinion about the Palestinian peoples assertion of their right to an independent state of their own on land occupied by Israeli settlers? _____ Yes _____ No If yes, please explain. _____

7a. Based on this opinion, would it make it difficult for you to sit as a fair and impartial juror in this type of case? _____ Yes _____ No _____ Unsure.

8. Do you believe that in the context of war, people have a right to resist violent, illegal force?
___ Yes ___ No Please Explain. _____

9. Do you believe that criticism of Israeli policy toward Palestinians is anti-semitic? ___ Yes ___ No
Please explain. _____

10. Do you believe that criticism of Israeli policy toward Palestinians encourages terrorism?
___ Yes ___ No ___ Unsure Please explain. _____

11. Do you believe that supporting impoverished war orphans in the occupied territories is a form of terrorism? ___ Yes ___ No ___ Unsure Please explain. _____

12. Do you believe that Palestinians who fight Israeli soldiers or armed settlers in the occupied territories are terrorists? ___ Yes ___ No ___ Unsure Please explain. _____

13. What comes to mind when you hear the phrase "jihad"? Please explain. _____

14. What comes to mind when you hear the phrase "intifada"? Please explain. _____

[Terrorism]

1. Do you have an opinion of who is generally to blame for the current problem of terrorism?
___ Yes ___ No What do you base that opinion on? _____

2. Do you have any feelings about the general subject matter of terrorism so as to affect your ability to be as fair as you would like to be in this case?
___ Yes ___ No Please, explain. _____

3. What comes to mind when you hear the words *terrorist groups*? _____

4. What particular terrorist groups have you heard of? _____

5. What have you heard about these groups? _____

6. Where did you learn about these groups? _____

7. Have you or any family members or close friends had any personal experience with acts of terrorism?
___ Yes ___ No If Yes, please explain. _____

7a. Is there anything about that experience that would make it difficult for you to sit as an impartial juror on this type of a case? _____

8. What is more important to you, domestic security or preservations of civil liberties? Why?

9. Do some persons deserve more liberties than others? If so, what is important in making that decision? _____

10. Do you equate terrorism with the support of unpopular political causes?

____ Yes ____ No If Yes, please explain. _____

11. In the face of the threat of terrorism, I would support whatever measures the federal government decided was appropriate.

____ Agree strongly ____ Agree somewhat ____ Disagree

If you agree, please explain. _____

12. I support whatever measures the Department of Homeland Security takes in the name of domestic security.

____ Agree strongly ____ Agree somewhat ____ Disagree

13. Is there anything about this type of case that would cause you to feel under any pressure to convict?

____ Yes ____ No Please explain. _____

[Criminal Justice system]

1. What are your feelings about the criminal justice system? _____

2. Have you or anyone close to you ever had an experience involving the police, FBI, or any other law enforcement agency, including being interviewed by or making a report to a law enforcement officer?

____ Yes ____ No If Yes please explain: _____

3. Would you give more weight to the testimony of a law enforcement officer or government agent, like an FBI agent, than you would to any other witness?

Yes No Would Make No Difference If Yes, please explain:

4. How often do you think police officers arrest an innocent person?

Often Sometimes Rarely Never

a. What could cause the arrest of an innocent person?

5. People brought to trial can be wrongly accused, or accused of the wrong things.

Agree strongly Agree somewhat Disagree somewhat Disagree strongly

Please explain:

6. There must be some truth to the charges against [defendant], since the case has come all the way to trial.

Agree strongly Agree somewhat Disagree somewhat Disagree strongly

Please explain:

7. What are your feelings about criminal defense attorneys?

8. What are your feelings about prosecutors?

9. If you were an attorney involved in this case, what information would you want to know from a juror?

[Circumstantial Evidence]

1. What comes to mind when you think of circumstantial evidence@?

2. I would be ___ more likely or ___ less likely to find someone guilty beyond a reasonable doubt if the evidence was circumstantial. (Check one)

3. How do you feel about the use of evidence that suggests something happened but is not direct proof?

[Snitch Testimony]

1. How do you feel about testimony from someone with a criminal history [or, if first time, facing criminal charges] who testifies for the prosecution in exchange for a more lenient sentence or other benefits?

a. Would you find this testimony ___ more or ___ less reliable than other testimony? (Check one)
Why?

[Right to Silence]

1. A person accused of a crime does not have to testify in his defense, and his silence may not be used against him. How do you feel about that?

2. If a person doesn't tell his side of the story, do you feel he is more likely guilty? ___ Yes ___ No
Why or why not?

[Burden-Reasonable Doubt]

1. The prosecution is required to prove its case beyond a reasonable doubt. If, after hearing the evidence, you thought the defendant could be guilty, but you were not convinced beyond a reasonable doubt, would you be able to return a verdict of Not Guilty? ___ Yes ___ No If No, why not?

a. Would you look to defense counsel to prove to you that the defendant is Not Guilty?
___ Yes ___ No Why?

[Minority Defendant – Palestinian, Arab,]

1. In what contexts have you had personal contact with people who are Palestinian or Arab descent?
(Please check all answers that apply)

- ___ in the family
- ___ in the neighborhood
- ___ in organizations
- ___ through work/business
- ___ in place of worship
- ___ in school
- ___ none

Other _____

2. Have you had any unpleasant experiences with Palestinians or Arabs? ___ Yes ___ No
If Yes, please explain. _____

3. Have you or any member of your family or friends had any experience which would cause you to be biased against a Muslim defendant in a case where there are allegations of terrorism?
___ Yes ___ No Please explain. _____

3. Do you believe that Palestinians or Arabs are disproportionately more violent than other ethnic groups?
___ Yes ___ No What gives you that impression?

4. Do you believe that Palestinians or Arabs commit disproportionately more crimes than other ethnic groups? ___ Yes ___ No What gives you that impression?

5. Do you have any experiences, feelings or impressions about Palestinians or Arabs that would make it difficult for you to sit fairly and impartially as a juror in a case in which Palestinian and Arabic men are charged with various acts of terrorism? ___ Yes ___ No Please explain.

6. Do you think Palestinians were responsible for the attack on the United States on September 11th, 2001? ___ Yes ___ No ___ Don't Know Please explain.

[Religious-Islam]

1. In what contexts have you had personal contact with people who follow the Islamic religion?
(Please check all answers that apply)

- ___ in the family
- ___ in the neighborhood
- ___ in organizations
- ___ through work/business
- ___ in place of worship
- ___ in school
- ___ none

Other _____

2. Have you had any unpleasant experiences with Muslims? ___ Yes ___ No
If Yes, please explain. _____

3. What comes to mind when you think of Muslims? _____

4. How familiar are you with the Islamic religion?
___ Very familiar ___ Somewhat familiar ___ Not familiar Please explain. _____

5. Do you believe that the Islamic religion is a violent religion?
___ Yes ___ No ___ Not Sure Please explain. _____

6. Do you believe that Muslims are disproportionately more violent than other ethnic groups?
___ Yes ___ No What gives you that impression? _____

7. Do you believe that Muslims commit disproportionately more crimes than other ethnic groups? ___
Yes ___ No What gives you that impression?

8. Do you have any experiences, feelings or impressions about Muslims that would make it difficult for you to sit fairly and impartially as a juror in a case in which Muslim men are charged with the acts of terrorism? ___ Yes ___ No Please explain.

9. Do you consider Islam an anti-Christian faith?
___ Yes ___ No ___ Not Sure What gives you that impression? _____

10. Do you consider Islam an anti-Jewish faith?
___ Yes ___ No ___ Not Sure What gives you that impression? _____

[Media Exposure]

1. What TV programs do you regularly watch? _____

2. What sections of the newspaper do you generally read?

3. What radio stations or programs do you most often listen to?

4. What talk shows do you watch or listen to? _____

5. What criminal cases have interested you in the media? Why?

5a. What did you learn about the criminal justice system from these cases?

6. Have you seen read or heard anything about Dr. Sami Al-Arian, or any of the other defendants in this case, or have you discussed this case with anyone who claims to know anything about the facts in this case? Yes No

If Yes, please explain what information you have or have heard, the source of the information, and with whom you may have discussed the case and what was discussed.

6a. What were your reactions or impressions based on what you saw, read or heard?

7. Based on what you have read or heard, have you reached any decision about the guilt or innocence of Dr. Al-Arian?

Guilty Innocent No decision Please explain what led to your position..

8. Have you heard or read anything about the court's pretrial rulings on motions in this case?

Yes No

8a. Based on what you have heard or read, do you have any opinion or beliefs about the case because of the court's pretrial rulings? Yes No Please explain. _____

9. This case will be closely followed by local and national electronic and print media. What does that fact indicate to you? _____

10. As a result of what you have heard or read about this case, would you be more likely to find Dr. Al-Arian guilty or innocent because of the media's coverage of this case? Guilty Innocent Don't know. Please explain. _____

11. Do you have any opinions about the publicity surrounding this case?

Yes No Please explain. _____

[Expert Testimony]

1 Do you have an opinion regarding the validity or worth of experts who testify in court cases?

Yes No If Yes, please explain your opinion and how you came to that opinion.

2. How do you feel about psychiatrists who testify in court? _____

[Translators]

1. Do you speak any foreign languages? ___Yes ___No If yes, please specify.
2. Have you, any member of your family or a close friend ever worked as a translator?
____Yes ____No

3. In what language(s)? _____

4. Have you had experience in encountering incorrect translations?
If so, please describe the situation. _____

5. Is it possible to have multiple interpretations of the same passage? If so, how?

[University of South Florida]

1. Have you, any member of your family or a close friend studied at USF?
If so, when? What was your course of study? _____
2. Have you, any member of your family or a close friend been employed at USF?
If so, when? In what capacity? _____
3. Have you read or heard the media accounts of Dr. Al-Arian's involvement with USF?
If so, what did you learn? From what source?
4. What were your reactions or impressions based on what you saw, read or heard?
5. Do you, any member of your family, or a close friend know the current president of USF, Ms. Judy Genshaft?

[Knowledge of Witnesses - optional]

Below is a list of individuals that may be present in the courtroom, including the judge, courtroom staff, the prosecutors, the defense attorneys and witnesses. Please circle the name of any individual you may know and explain how you think you know them.

Juror's Oath

I declare under penalty of perjury that the information which I have provided in this juror questionnaire and any attachments is true and correct. I further declare that I have completed this questionnaire without anyone's assistance.

Juror's Signature _____

Date _____

Please use the following space to provide any information which may be necessary to complete any of your answers in this questionnaire. Please be sure to write the question number with your answer.

Certificate of Service

I hereby certify that a copy of the foregoing Juror Questionnaire has been furnished by U.S. Mail to the Office of the United States Attorney, Walter Furr, 400 N. Tampa St., Suite 3200, Tampa, Florida, 33602; Donald Horrox, Assistant Federal Public Defender, 400 N. Tampa St., Suite 2700, Tampa, Florida, 33602; Daniel Hernandez, Esq., 902 N. Armenia Ave., Tampa, Florida, 33609; and, Bruce Howie, Esq., 5720 Central Ave., St. Petersburg, Florida, 33707, this 5th day of September 2003.


Sami Amin Al-Arian