



U.S. Department of Justice

*United States Attorney
Eastern District of New York*

SPN
F.# 2015R00094

*271 Cadman Plaza East
Brooklyn, New York 11201*

January 6, 2016

BY ECF

The Honorable Nicholas G. Garaufis
United States District Judge
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: United States v. Tairod Nathan Webster Pugh
Criminal Docket No. 15-00116

Dear Judge Garaufis:

Enclosed please find the parties' proposed jury questionnaire, submitted in anticipation of trial in the above-captioned case. The parties intend to submit the list of names and places referenced in question 46 at a date closer to the start of trial.

Respectfully submitted,

ROBERT L. CAPERS
United States Attorney

By: /s/ Samuel P. Nitze
Samuel P. Nitze
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Assistant U.S. Attorneys
718-254-7000

Enclosure

cc: Eric Creizman, Esq. (by ECF)

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

----- X

UNITED STATES OF AMERICA

- against -

JURY QUESTIONNAIRE

NATHAN TAIROD WEBSTER PUGH,

15 CR 116 (NGG)

Defendant.

----- X

The Honorable Nicholas G. Garaufis
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

THIS PAGE IS THE QUESTIONNAIRE COVER SHEET
PLEASE TEAR OFF THIS PAGE
AND TAKE IT WITH YOU

After you are excused today, please CALL the following telephone number on [DATE] after 4:30 p.m. Upon calling, you will receive instructions about the date on which you are to report back to court. It is extremely important that you know the juror number written on the top of this form when you make your call. THANK YOU.

Phone number: 1-800-522-5100
Date to call: [DATE]
Time to call: After 4:30 p.m.

**THE ANSWERS TO THE QUESTIONS ON THIS PAGE WILL BE DISCLOSED
ONLY TO THE APPROPRIATE COURT PERSONNEL
AS DIRECTED BY THE PRESIDING JUDGE**

Please print the following information:

Name:

Home Address:

Home Phone:

Job & Department:

Business Address:

Business Phone (Including Extensions):

I hereby certify that the foregoing information, and all of the answers in this questionnaire, are true, correct, and complete to the best of my knowledge.

Date: February __, 2016

SIGNATURE

UNITED STATES v. TAIROD NATHAN WEBSETER PUGH
Cr. No. 15-116 (NGG)

JUROR QUESTIONNAIRE
PRELIMINARY INSTRUCTIONS:

This questionnaire is designed to help simplify and expedite the jury selection process. You must give true and complete answers to all questions. Although some of the questions may appear to be of a personal nature, please understand that these questions will help the parties and the Court select a fair and impartial jury. Part of the selection process depends on your ability and promise to follow the law as it is explained by the Court. Thus, some of the questions include descriptions of legal principles and ask whether you can conscientiously follow them.

The defendant Tairod Pugh has been charged with attempting to join the terrorist organization ISIL and with obstructing and attempting to obstruct an official proceeding. Specifically, the defendant is charged with attempted provision of material support to a designated foreign terrorist organization, in violation of Title 18, United States Code, Section 2339B, and obstruction and attempted obstruction of an official proceeding, in violation of Title 18, United States Code, Section 1512(c). The defendant has pleaded not guilty and is presumed to be innocent of these charges.

Please answer each question by placing a check next to the correct response or by providing the information requested. Please try to write as legibly as possible. All of your responses on this questionnaire will remain completely confidential. Do not discuss the questions or answers with anyone, including your fellow jurors. It is extremely important that your answers be your own, individual answers. It is a common practice followed in many cases in Federal court, especially where there may be media attention to the case, to keep the names and identities of the jurors in confidence. This is in no way unusual. On the remaining pages of the questionnaire, please do not provide any specific names or addresses or any information that may identify you or members of your family.

There are no “right” or “wrong” answers; just be completely candid and truthful.

BACKGROUND QUESTIONS

1. Do you have any difficulty reading or understanding English?

Yes No

2. Do you have any physical problem (for example, with your sight or hearing) that would interfere with your ability to serve?

Yes No

If yes, please describe: _____

3. What is your age? _____

4. Are you: Male Female

5. Where were you born? _____

6. Where were your parents born? _____

7. Where were you raised? _____

8. What is your marital status? _____

9. How many children do you have, if any? _____

10. What are their ages? _____

11. Are you presently a member of any church, synagogue, mosque, temple or other religious organization? (Do not specify which)

Yes No

If so, how often do you attend religious services? _____

12. Where do you live?

Brooklyn Queens Staten Island Nassau Suffolk

City/Town _____ Neighborhood (if any) _____

13. How long have you lived there? _____

14. Where did you live before that? _____

15. How long did you live there? _____

16. Name the one person (living or dead) who is likely known to all of us who you admire over all others.

17. How far did you go in school?

18. If you are employed, please answer the following:

(a) What type of work do you do and what type of business is it?
(Please do not name your employer.)

(b) How long have you worked at your present job?

(c) Do you supervise others in your job?

Yes No

19. If retired or unemployed, how long have you been unemployed or retired and what type of work had you been doing previously?

20. Does anyone else in your household work outside the home? If yes, provide the nature of the relationship (for example, spouse or child) and the type of work he or she does (**please do not name any employer**):

21. Other than English, what languages do you speak?

22. Do you speak, read, or understand Arabic?

Yes No

If yes, would you have any difficulty relying solely on a translator's translation of Arabic?

Yes No

23. List any news sources (newspapers, radio shows, magazines, websites, or web blogs) that you read, watch, or listen to regularly:

24. What is your primary source of news?

25. Have you or any member of your family or close friends worked or applied for a position in the U.S. Attorney's Office, the Federal Bureau of Investigation, the Joint Terrorism Task Force, Customs and Border Protection, or any other law enforcement agency?

Yes No

EXPERIENCE AND BELIEFS

26. Is there anything about your background or your personal, political, or religious beliefs that would prevent you from sitting in judgment of another person in a criminal trial?

Yes No

Please explain _____

27. Have you ever been a juror?

Yes No

If yes, please complete the chart below:

Year of Service	State or Federal?	Criminal or Civil?	Grand Jury or Trial Jury	Was there a verdict?
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

What was the general nature of the case (for example, robbery, murder, contract, negligence, medical malpractice, etc.)?

Is there anything about your prior jury service that would affect your ability to be a fair and impartial juror in this case, would make you not want to serve again, or affected your opinion about the jury system?

Yes No

If yes, please explain. _____

28. Have you or a member of your family or anyone close to you had any legal action or dispute with the United States or any of its agencies, or any officer, agents, or employees of the United States?

Yes No

If yes, please explain the nature of the proceedings.

29. Have you or any member(s) of your family or anyone close to you, ever been a witness in any court proceeding?

Yes No

If yes, please explain the nature of the proceedings.

30. Have you, or has a family member or close friend, ever been a witness to or the victim of a crime?

Yes No

If yes, please explain **without providing names or other identifying information** who was involved, when and where it occurred, what happened, the outcome, and whether anyone was arrested or convicted.

31. Would that experience affect your ability to be fair and impartial in this case?

- Yes No

If yes, please explain:

32. Have you, a family member or close friend ever been stopped, questioned, investigated, arrested, or prosecuted by any law enforcement officer or agency?

- Yes No

33. Would that experience affect your ability to be fair and impartial in this case?

- Yes No

If yes, please explain:

34. Do you have, or have you ever had, a close friend or family member in prison?

- Yes (self) Yes (friends/family) No

If yes, please explain _____

35. Do you have any opinions or beliefs concerning law enforcement in general – including the Federal Bureau of Investigation (“FBI”) or the Department of Justice – that would affect your ability to evaluate the evidence fairly and impartially?

Yes No

If yes, Please explain _____

36. Have you ever traveled outside of the United States? Yes No

If yes, please describe where and approximately when. _____

37. Have you ever served in the military? Yes No

Branch and highest rank: _____

Foreign Stations or Tours: _____

38. Do you have any views about Muslims or the Islamic faith that would affect your ability to be an impartial juror in this case? Yes No

If yes, please explain _____

39. Do you have any views about, or experiences with the United States' response to terrorism or its foreign policy concerning the Middle East that would affect your ability to be a fair and impartial juror in this case? Yes No

If yes, please explain. _____

LEGAL PRINCIPLES

40. The defendant is presumed innocent and cannot be found guilty unless the jury, unanimously and based solely on the evidence in this case, decides his guilt has been proven beyond a reasonable doubt. The burden of proving guilt rests entirely with the government. The defendant has no burden of proof at all. Will you accept and apply this rule of law?

Yes No

If no, please explain: _____

41. Under the law, a defendant need not testify or offer any evidence on his or her behalf. If a defendant chooses not to testify, the jury is not permitted to consider that fact in any way in reaching a decision as to whether a defendant has been proven guilty. Will you accept and apply these rules of law?

Yes No

If no, please explain: _____

42. Several witnesses in this case will be law enforcement officers. Such a witness's testimony is not to be given any more or less credence than any other witness's testimony simply because that witness is a law enforcement officer. Will you accept and apply this rule of law?

Yes No

If no, please explain: _____

43. The evidence in this case may include information provided or obtained by an individual or individuals testifying for the government in exchange for benefits, such as a reduced sentence on a crime that the individual has admitted to committing. Although the testimony of these witnesses must be examined with great care, it is entirely appropriate for the government to call them to testify. Do you have any beliefs or opinions that would affect your ability to evaluate such testimony from such witnesses fairly and impartially?

Yes No

If yes, please explain: _____

44. At the conclusion of the case the Court will charge you on the law and explain to you the elements of the crimes charged in the indictment. Do you have personal, religious, philosophical or other beliefs as to what the law is or should be that would make it difficult for you to follow the instructions of the Court or that would make it difficult for you to sit in judgment of another?

Yes No

If yes please explain _____

45. Under the law, the facts are for the jury to determine and the law is for the judge to determine. You are required to accept the law as the judge explains it to you, even if you do not like the law or disagree with it, and you must determine the facts according to those instructions. Will you accept and apply this rule of law?

Yes No

If no please explain _____

KNOWLEDGE OF THE CRIME, CASE, OR PEOPLE

46. You may hear testimony from or about the people and places listed on Attachment A during the trial. Please turn to Attachment A at the end of this packet, and circle the name of any person or place that you know or have any connection with.

Have you read or heard about someone on the list or any of the places mentioned?

Yes No

If yes, please explain _____

47. Have you read any articles or seen any news programs regarding this case or any of the parties (i.e., the defendants or the lawyers)?

Yes No

48. If yes, would the information you read, saw, or heard affect your ability to serve as an impartial juror in this case?

Yes No

If yes, please explain:

49. How closely have you followed the media coverage of the group the Islamic State of Iraq and the Levant, also known as ISIL, ISIS, or the Islamic State?

Very closely _____ Somewhat closely _____ Not too closely _____

50. If you are familiar with media coverage of the group, is there anything about such coverage that would prevent you from being fair and impartial?

Yes No

If yes, please explain _____

GENERAL QUESTIONS

51. In your opinion, is there anything about this case, the issues, and/or the people involved in this case that might hinder you from being an impartial juror?

Yes No

If yes, please describe: _____

52. This case may receive media attention. Will you be able to follow the Court's instructions that you are not to watch television, go on the internet, and/or listen to or watch any media coverage regarding this case, that you are not to discuss the case with family or friends until the trial and your deliberations have concluded, that you are not to discuss the case with fellow jurors until time for deliberations, and that the only information you are permitted to consider is that which is presented in court?

Yes No

If no, please explain

53. If you were selected to serve on this jury, would you consider and respect the view of other jurors even if their views differed from yours, in accordance with the Court's instructions?

Yes No

54. The charges in this case involve allegations related to terrorism. Is there anything about the charges, without more, that might affect your ability to fairly evaluate the evidence regarding whether or not the government has proven the defendant's guilt beyond a reasonable doubt?

Yes No

If yes please explain _____

SCHEDULING AND ABILITY TO SERVE

55. Your schedule: The Court and the parties estimate that after a jury is selected, this case will last no longer than two weeks, with the Court sitting Monday through Friday, starting no sooner than February 18, 2016.

Jury service is one of the highest duties and privileges of a citizen of the United States. Mere inconvenience or the usual financial hardships of jury service will be insufficient to excuse a prospective juror.

Do you wish to apply to the Court to be excused on the ground that jury service would be a serious hardship?

Yes No

If yes, briefly explain the hardship:

56. What arrangements, if any, can you make to alleviate your hardship?

57. Will you be paid your salary while you serve jury duty?

Yes No Not sure