

9/3/08 FILED
MICHAEL K. JEANES, Clerk
By J. A. Bower
J. A. Bower, Deputy

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF MARICOPA

STATE OF ARIZONA,

Plaintiff,
vs.

DALE SHAWN HAUSNER,

Defendant.

CR 2006-048493-002-DT
CR 2006-012721-001-DT ✓
CR 2007-006031-001-DT

JURY QUESTIONNAIRE

(Assigned to the Honorable
Roland J. Steinle, III, Div.Saj06)

JURY QUESTIONNAIRE

Your answers to the following questions are very important. Although some of the questions are personal in nature, please be assured that they are necessary to the process, and that the court participants will keep all of your answers confidential. The sole purpose of the questionnaire is to help the prosecution and the defense select a fair and impartial jury.

Please **PRINT** your answers legibly. Please 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 for the judge, for the lawyers, for your fellow jurors, and for you.

If you need more space to answer any question more completely, there are blank pages at the end of the Questionnaire for you to use. Please indicate at the end of any of your answers if you are continuing your answer. Also, when you are using these blank pages, please indicate the question number for each continued answer.

Sign your questionnaire when you are finished. Your answers will have the effect of a statement given to the Court under oath.

There is also a separate sheet which contains general information about your possible jury service. Please take the sheet with you when you leave today.

Or have you formed an opinion as to what penalty should be imposed if someone is convicted of the crimes alleged in this case? YES _____ NO _____

If YES, what opinions have you formed?

DEATH PENALTY:

Arizona law provides for the possibility of three phases to a trial in which the death penalty may be an issue. This means there may be three "trials" in this case. In the first trial, the jury must decide whether the prosecutor has proven all the elements of first-degree murder beyond a reasonable doubt. If the prosecutor proves all of the elements of first-degree murder in the first phase, there will be a second trial. In the second trial, it is necessary that the prosecutor must prove beyond a reasonable doubt the existence of an additional factor that makes a person eligible for the death penalty. In the event that the prosecutor proves the necessary elements to your individual satisfaction in each of the first two phases, there will be a third trial. In that trial, you will be required to decide whether to impose a death sentence or a sentence of life imprisonment.

In any case in which the death penalty is a possible punishment, the law requires that prospective jurors answer questions regarding their thoughts, feelings and opinions on the death penalty. The law requires these questions be asked before a person has been found guilty. You must not assume from any of the questions asked that any defendant is in fact guilty of any crime.

3. Please check the one statement best summarizes your general views about the Death Penalty (Capital Punishment):

_____ I am opposed to capital punishment under any circumstances.

_____ I am opposed to capital punishment except in a few cases where it may be appropriate.

_____ I am neither generally opposed to nor in favor of capital punishment.

_____ I am in favor of capital punishment except in a few cases where it may not be appropriate.

_____ I am strongly in favor of capital punishment as an appropriate penalty.

4. Is there any particular event in your life that has influenced your opinion about the death penalty? YES _____ NO _____

If YES, please describe:

5. Have you, a member of your household, close relative or friend had any contact or involvement with any organization opposed to, or in support of, the death penalty? YES _____ NO _____

If YES, please describe:

6. Assume you are on a jury to determine the punishment for a defendant who has already been convicted of first degree murder and the law gives you a choice of imposing death, or life imprisonment. Please check the statement below that best describes your feelings. **Check only one.**

_____ I cannot vote to give the death penalty under any circumstances.

_____ I am opposed to the death penalty but could vote to assess it in a proper case.

_____ My decision on whether to assess the death penalty would depend upon the facts and circumstances of the case.

_____ I would vote to assess the death penalty in every case where I could.

7. Do you have any personal, moral, religious, philosophical or conscientious objections to the imposition of the death penalty? YES _____ NO _____

If YES, please describe:

8. Do you believe you can put aside your personal views on the death penalty and apply the law given to you by the Court, if doing so might result in the execution of the defendant in this case? YES _____ NO _____

9. Is there any member of your household, close relative or friend who is opposed to the death penalty or in favor of the death penalty to the extent that you would feel uncomfortable or under any kind of pressure in deciding the defendant's fate?

YES _____ NO _____

10. Do you feel you may have to justify your decision to anyone?

YES _____ NO _____

11. Will you, for whatever reason, automatically vote against the death penalty without considering the evidence and the instructions of law that will be presented to you?

YES _____ NO _____

If your answer is "YES" please explain:

12. Conversely, will you, for whatever reason, automatically vote for the death penalty without considering the evidence and the instructions of law that will be presented to you?

YES _____ NO _____

If your answer is "YES," please explain.

13. The law provides that to determine if a sentence of death or life in prison is appropriate, the jury must consider any aspect of the defendant's character, propensities or record and any of the circumstances of the offense. This commonly referred to as mitigating circumstances. How do you feel about considering individual factors about a person's life to make a determination what the appropriate sentence should be?

CRIMINAL JUSTICE ISSUES:

14. What are your feelings in general about the Criminal Justice System in Arizona?
Please describe:

15. What would you change, if anything, about Arizona's Criminal Justice System?
Please describe:

16. Do you believe Arizona's criminal laws are generally:

Too Harsh ? _____ Too Lenient ? _____ Appropriate? _____

17. You will hear evidence that an emergency wiretap was used in this case.

A wiretap is an investigative tool where law enforcement officers using special equipment are allowed to listen in on a person's conversation without their knowledge or consent.

Do you have an opinion regarding the use of wiretaps as an investigative tool? YES _____ NO _____

If YES, please describe:

18. An emergency wiretap was used in this case, and recordings from this wiretap will be admitted into evidence at this trial. A wiretap may be authorized by a Judge, or under certain circumstances the County Attorney may authorize the interception.

Do you have any opinion regarding this procedure? YES _____ NO _____

If YES, please describe:

19. Do you feel that a defendant is likely guilty if charged with a crime?
YES _____ NO _____

20. Do you think you would be more likely to believe a police officer's testimony over another witness because he is a police officer? YES _____ NO _____

21. Do you think you might feel offended if the credibility of police officer was attacked or questioned at trial? YES _____ NO _____ MAYBE _____

Please explain:

22. A defendant has the right to testify or decline to testify at trial. Similarly, a defendant may or may not present evidence during trial. The law is that neither a defendant's choice to decline to testify nor his failure to present evidence can be held against him. Can you apply the law? YES _____ NO _____

If not, please explain:

23. If you thought a defendant was probably guilty, but did not think the prosecution had proved its case beyond a reasonable doubt, would you have trouble finding the defendant not guilty? YES _____ NO _____

Please describe:

24. The State has the burden of proving guilt beyond a reasonable doubt. The law does not, and should not, require defendants to prove their innocence or present any evidence. Even so, would you expect the defendant to prove he is innocent?

BIOGRAPHICAL INFORMATION:

25. Do you have any difficulty reading, speaking or understanding the English language? YES _____ NO _____

26. 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 caregiver 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:

27. What newspapers and magazines do you routinely read?

28. Do you routinely listen to any radio or television programs devoted primarily to political commentary? YES _____ NO _____

If YES, which ones:

29. Circle the term which applies to you. My political beliefs are best described as:
EXTREMELY LIBERAL, LIBERAL,
CONSERVATIVE, OR EXTREMELY CONSERVATIVE.

30. What is your religious preference, if any?

Have you ever held any church offices? YES _____ NO _____

If YES, which ones:

31. Have you watched crime shows on television that depict police officers, prosecutors, defense attorneys, and/or trials? YES _____ NO _____

If YES, which ones:

32. Do you feel these television shows are realistic portrayals of the criminal justice system? YES _____ NO _____

Please explain:

33. Have you ever known anyone who was killed, accidentally or otherwise? YES _____ NO _____

If YES, please describe:

34. Have you, a family member, or close friend ever killed anyone, accidentally or otherwise? YES _____ NO _____

If YES, please describe:

35. EMPLOYMENT

Are you currently employed? YES _____ NO _____

If YES, please describe:

Place of employment: _____

Job title or description: _____

Length of present employment: _____

Do you supervise any other employees as a part of your job?

YES _____ NO _____

If YES, how many persons do you supervise? _____

What was your previous place of employment and job title or description?

36. FAMILY

Marital status: _____

Name of spouse: _____

Age of spouse: _____

Length of marriage: _____

Spouse's occupation: _____

37. MILITARY SERVICE

Have you ever served in the military? YES _____ NO _____

If YES, please answer the following:

Which branch: _____

When: _____

Highest rank /Grade attained: _____

Duties: _____

Did you serve in combat? YES _____ NO _____

If YES: When? _____ Where? _____

Did you ever serve in the military police? YES _____ NO _____

Did you ever serve on a summary, general, or special court martial?

YES _____ NO _____

If YES, what was the nature of the charge(s)? _____

38. PSYCHOLOGY / PSYCHIATRY

Have you, a member of your household, close relative or friend ever received treatment by a mental health expert or facility? YES _____ NO _____

If YES, please describe:

Do you, a member of your household, close relative or friend personally know any psychiatrists or psychologists? YES _____ NO _____

If YES, please describe:

Have you ever received training or engaged in the study of psychology or psychiatry? YES _____ NO _____

If YES, please describe:

39. What is your opinion about the ability of psychologists or psychiatrists to identify and explain the reasons for human behavior?

40. Would you be inclined to accept the conclusions of a psychiatrist or psychologist even if they conflicted with the evidence and/or your experience and common sense? YES _____ NO _____

41. LAW ENFORCEMENT

Have you, a member of your household, close relative or friend ever worked in a prison, jail, or detention center of any sort? YES _____ NO _____

If YES, please describe:

42. Have you, a member of your household, close relative or friend been a member of or employee of a law enforcement agency or organization? YES _____ NO _____

If YES, please describe:

43. Have you, a member of your household, close relative or friend been an employee of a state or federal probation or parole agency? YES _____ NO _____

If YES, please describe:

44. Have you, a member of your household, close relative or friend been an employee of a local, state, or federal court system? YES _____ NO _____

If YES, please describe:

45. Have you, a member of your household, close relative or friend been associated with or worked with any program dedicated to rehabilitating persons convicted of crime? YES _____ NO _____

If YES, please describe:

46. Have you, a member of your household, close relative or friend been an employee of an attorney's office? YES _____ NO _____

If YES, please describe:

47. Have you, a member of your household, close relative or friend completed law school or taken any law-enforcement courses? YES _____ NO _____

If YES, please describe:

48. Have you, a member of your household, close relative or friend had an unpleasant experience with a police officer? YES _____ NO _____

If YES, please describe:

49. Have you, a member of your household, close relative or friend had an unpleasant experience with an attorney, or with the court system in general?

YES _____ NO _____

If YES, please describe:

50. Have you, a member of your household, close relative or friend 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 friend were treated fairly?: _____

If NO, please describe:

51. Have you, a member of your household, close relative or friend been accused of something you did not do? YES _____ NO _____

If YES, please describe:

52. Have you, a member of your household, close relative or friend spent time in jail or prison? YES _____ NO _____

If YES, please describe:

53. Have you ever served on a trial jury? YES _____ NO _____

If YES: How long ago: _____

What type of case? Please describe:

Did the jury reach a verdict: _____

If yes, what verdict?: Please describe:

Did the jury set punishment? YES _____ NO _____

Were you the jury foreman? YES _____ NO _____

54. Please list anything else you believe the Court should know about you that would affect your ability to serve as a juror in this case.

55. Is there anything that might affect your ability to serve as a juror that you want to speak about privately with the Court? YES _____ NO _____

56. The attached pages also contain a list of witnesses. These people may testify at trial or may be mentioned by other witnesses who testify during this trial. If you think that you know any of these witnesses please write the name of the person whom you think that you may know, and how you know this person. Also, please note if this knowledge would impact how you view their testimony.

I DECLARE UNDER PENALTY OF PERJURY THAT THE INFORMATION THAT I
HAVE PROVIDED IN THIS JURY QUESTIONNAIRE IS TRUE AND CORRECT.

JUROR SIGNATURE

DATE

The following individuals may be called as witnesses, or their names may come up during the course of the trial. Please read the list carefully and circle any that you know:

PHOENIX POLICE DEPARTMENT

Clark Schwartzkopf #4869	Joseph Mills #8093	Darrell Smith #3453
Cliff Jewell #3526	James Perry #7158	Cynthia Kralovetz #5679
Joe Petrosino #2529	John Cusson #7008	Travis Bird #6860
Hector Gamez #6308	Brian Lowry #8476	Brian Benson #6074
Matt Verthein #5881	Scott Pfander #7409	Matthew Shay #6235
Darren Burch #4603	Bertie James #7229	Mark Brown #5909
Russell Hughes #7441	Michael Mehlhouse #8317	Joseph Campisano #6511
Pedro Cano #7991	Heather Polombo #6237	Richard Lebel #6443
Travis Sevedge #6974	Elise Lewis #4751	Jason Buscher #6545
Travis Morrison #8130	Estevan Armenta #8324	Don Sherrard #4703
Jeff Goodin #7514	Victoria Beighle #8313	Jamie Jessing #6189
Robert Griffin #7161	Michael Morris #6991	Michael Carmody #5634
Jan Butcher #6228	Geoffrey Tucker #8034	Bob Wenrick #3608
Charles Holton #7892	Christopher Turiano #6424	Chris Scranton #7207
Blake Hammond #7725	David Kerns #8363	David Thwing #7375
Mark Post #7056	Ryan Cornelius #8143	Kendall Moreland #4626
Jason Hall #6977	Richard Shoemaker #8021	Bill McMahan #A4014
Brandon Benson #7973	Darren Udd #5741	Richard Kerger #A3455
Brian Juair #8099	Ryan Barendt #7274	Phillip Wolslagel #A2882
James Hooke #8225	Peter Kriz #8475	Mahesh Patel #A2446
Dennis Leroux #7699	Joshua Ramos #8017	Melvin Garrett #A1814
John Friday #7770	Michelle Dalton #6551	Tom Bertone #A4642
Mike Norlin #1994	Robert Scott #6158	Diane Meshkowitz #A4714

SCOTTSDALE POLICE DEPARTMENT

Pete Salazar	Anthony Jones
Hugh Lockerby	Lynette Kogler #B1200

MESA POLICE DEPARTMENT

Donald Byers #3889	John Andrews #9554
Carol Gomez #12180	Diana Tapia #15689
Scott Purrington #9770	Phillip Bates #15336
Charles Lybarger #11007	Patrick Chavez #10678
Michael Morgan #11957	Jodi Legg #15933
Tom Denning #8516	Lisa Perry #15298
Drew Young #16679	Virginia Smart #11793
Vicki Hixson #12177	Kelly Speckles #13647

TOLLESON POLICE DEPARTMENT

Ron Rock #167	Cathy Downing #177	Stephen Richardson #187
Rick Patscheider #180	Tony Dominguez #164	
Rudy Mendoza #179	David Matta #171	

GLENDALE POLICE DEPARTMENT

Frank Grijalva #12539
Anthony Cano #12534
Eric Hardt #12585

John Bustoz #6896
Dan Keddy #3398

AVONDALE POLICE DEPARTMENT

Meresa Ruffinelli #850

Bill Rademacher #77

TEMPE POLICE DEPARTMENT

David Hanson #15983

MARICOPA COUNTY SHERIFF'S OFFICE

Harvey Reman

ARIZONA DEPARTMENT OF PUBLIC SAFETY

Alan Kreitl

SALT RIVER POLICE DEPARTMENT

Haron Wadia #139

Daniel Zamboni #168

GLENDALE FIRE DEPARTMENT

Deborah Oso

Mike Blaire

Denver Wells

PHOENIX FIRE DEPARTMENT

Paul Moore
Keith Smith

Michael Harrelson
Michelle Shantz

ATF

Kevin Schuster
Tracey Hite

Mike Mitchell
Rob Guillot

MARICOPA COUNTY ATTORNEY'S OFFICE

Steve Lewis

MEDICAL

Dr. Robert Lyon (Maricopa County Medical Examiner's Office)
Dr. Mark Fischione (Maricopa County Medical Examiner's Office)
Dr. Phillip Keene (Maricopa County Medical Examiner's Office)
Dr. Shamos (St. Joseph's Hospital)
Nurse Karen Byrdak (St. Joseph's Hospital)
Dr. King (St. Joseph's Hospital)
Dr. Sue (St. Joseph's Hospital)
Nurse Katie Anderson (St. Joseph's Hospital)
Dr. Russell (St. Joseph's Hospital)
Dr. Tsipursky (Maricopa County Hospital)

Dr. Knight (Maricopa County Hospital)
Dr. Mawin (Maricopa County Hospital)
Dr. Fulton (Maricopa County Hospital)
Dr. Doug Smith (Scottsdale-Osborn Hospital)
Dr. Ferrara (Scottsdale-Osborn Hospital)
Dr. VanMoorlehen (Scottsdale-Osborn Hospital)
Dr. Wong (Good Samaritan Hospital)
Dr. Korff (Good Samaritan Hospital)
Dr. Villareal (John C. Lincoln Hospital)
Nurse Stephanie Bonficio (VA Hospital)
Dr. Mark Fink (Veterinarian)
Dr. Robert Doster (Veterinarian)
Dr. Monica Brown (Veterinarian)
Dr. William Penn (Veterinarian)
Elizabeth Wictum (Veterinary Genetics Lab)

OTHER EXPERTS

Park Dietz, M.D.
Mark Cunningham, Ph.D.
Jack Mitchell (audio enhancement)

CIVILIANS

Samuel Dieteman	Diane Bein (Victim)
Tony Mendez (Deceased Victim)	Jeremy Ortiz (Victim)
Reginald Remillard (Deceased Victim)	Joseph Roberts (Victim)
Louis Remillard (Next of Kin)	David Perez (Victim)
Rebecca Lewis (Next of Kin)	Ashley Armenta (Victim)
David Estrada (Deceased Victim)	Gary Begay (Victim)
Rebecca Estrada (Next of Kin)	Michael Cordrey (Victim)
Marco Carillo (Deceased Victim)	Raul Garcia (Victim)
Jose Ortis (Deceased Victim)	Debra Swier
Nathaniel Shoffner (Deceased Victim)	Carl Zolnarchik
Claudia Gutierrez-Cruz (Deceased Victim)	Debra Haddock
Adrianna Gutierrez-Cruz (Next of Kin)	Issac Crudup
Robin Blasnek (Deceased Victim)	David Cecena
Barbara Whitner (Victim)	Ronald Travis
Timmy Tordai (Victim)	Ricardo Lopez
Clarissa Rowley (Victim)	Dan Bursell
Kibili Tambadu (Victim)	Marcos Portillo
James Hodge (Victim)	Juan Alvarez
Miguel Rodriguez (Victim)	Ricky Kemp
Darrell Davies (Victim)	James Hernandez
Paul Patrick (Victim)	Vincente Espinoza-Verdugo
Elizabeth Clark (Victim)	Diana Quezada
Frederick Fena (Victim)	Jeff Schreier
Tony Long (Victim)	Melissa Lupton

Isabel Garcia
John Kane
Charisse Kane
Shenita King
Anthony Sutton
Daniel Brown
Chris Morrison
Dawn Vanhorn
Marianne Thone
Daniel Womack
Henry Gullion
Charles Chase
Laura Kriplean
Linda Swaney
Debbie Dryer
Larry Thompkins
Leaunna Christensen
Cindy McGillvray
Vernon Newman
Tony Pavese
Celeste Vance
Stephanie Lewis
Howard Lawson
Daniel Vera
Steve Cameron
David Lafferty
Patricia Collum
Juanita Garcia
Brendan Flately
Leo Sandoval
Anthony Martinez
Alfonso Guadalupe
Ronald Griffith
Jodi Porter
Dorothy Kaiser
Richard Esquivel
Joetta Gonzales
Michael Lee
Lenny Constable
Marianne Lescher
Terry Milsap
Travis Vance
Kasy Hausner
Michelle Boteri
Rick Thomas

Pastor James Carper Sr.
Ken Authier (TX Dept. of Public Safety)
James Baird
Bethany Bice-Helm
Barbara Bradley
Gloria Butler
Jessica Campbell
Joe Contreras (Phoenix Police Department)
Keith Curtis
Michael Dragone
B.J. Flores
David Friend
Brenda Ann Gould
Eugene Hausner
Rose Mary Hausner
Greg Hausner
Jeffrey Hausner
Katie Hausner
Kristopher Hausner
Nikole HausnerRandy Hausner
Tracie Hazelett
Stephanie Heard
Andrew Hermes
Larry Kenney
Karen Ledford
Toni Livingston
Connie Mayfield
Beth Meceli
Jamie Mitchem
Valerie Mitchem
Angie Moraga
Pat Ott
Richard Shaw
Margaret Shaw
Rudolph Shaw
Don Smith
Kathy Stout
James Sykes
Richard Thomas
Amber Wallace
Brenda Wallace
Rick Wilkinson
Gail Ziv
Richard Bergman

This page will be seen by court staff only. This information will be used if it becomes necessary to contact you during the course of your jury service.

Name: _____

Juror Number _____

Phone numbers: **Home:** _____

Work: _____

Mobile/pager: _____