

CAUSE NO. CR-05-338

CR-05-339

CR-05-340

CR-05-341

CR-05-342

THE STATE OF TEXAS

§ IN THE DISTRICT COURT OF

VS.

§ RUSK COUNTY, TEXAS

ROMEO PINKERTON

§ 4TH JUDICIAL DISTRICT

AKA RONNIE PINKERTON

JURY QUESTIONNAIRE

Your name has been drawn to possibly serve as a juror in this capital murder case. Selecting a jury in a case like this will take place in two stages. The first stage will be the completion of this questionnaire. The second stage will consist of a period of questions from the attorneys involved in the case, which will be conducted in person when you come back to court. The purpose of this questionnaire is to provide the attorneys for both sides some basic information about you so that they will have a meaningful opportunity to select a fair and impartial jury in this case.

Please take your time, read the questions carefully, and answer them as completely as possible. The information contained within the questionnaire will become part of the Court's permanent record, but it will not be distributed to anyone except the attorneys in the case and the judge. During the questioning by the attorneys, you will be given the opportunity to explain or expand any answers, if necessary. If you wish to make further comments regarding any of your answers, please use the back of the questionnaire. If you do not understand a question, please write "I DO NOT UNDERSTAND" and the question will be explained to you in Court. If you cannot answer a question because you do not know the answer, write "I DO NOT KNOW" in the space after the question. If you cannot answer a question because it does not apply to you, write "N/A" [not applicable] in the space after the question.

Because this questionnaire is part of the jury selection process, the questions must be answered by you under penalty of perjury and you should fill out this questionnaire by yourself without consulting any other person. At the end of the questionnaire is a place for you to sign your name when you finish. By signing your name, you are affirming that you have answered each question truthfully and to the best of your ability. **Please realize that there are no right or wrong answers - just honest ones.**

Please do not speculate about the evidence to be presented in this case based on any questions contained in this form. If you are selected to serve, you will be given all of the facts during the trial.

We realize that completing this questionnaire will be time consuming, but we are certain that you understand the importance of juries in our American system of justice. Your cooperation will enable us to select a fair and impartial jury.

JUROR NO. _____

PERSONAL:

1. NAME:

LAST FIRST MIDDLE MAIDEN (IF APPLICABLE)

SEX: _____

BIRTHDATE: _____

AGE: _____

MONTH DAY YEAR

RACE: _____

BIRTHPLACE: _____

CITY/TOWN STATE

SOCIAL SECURITY #: _____ DRIVERS LICENSE#: _____

HOME ADDRESS: _____

NUMBER STREET CITY/TOWN ZIP CODE

HOME PHONE #: _____ BUSINESS PHONE #: _____

2. How long have you resided in Bowie County? _____

3. Where have you lived besides Bowie County, Texas? List places of residence (city and state) and approximate dates: _____

FAMILY:

4. Marital status: (Circle every appropriate category)

Single Married Separated Divorced Widow(er) Previously Divorced

5. Spouse's name: _____
(Maiden)

6. Spouse's age: _____ Length of Marriage: _____

7. Please list your children and/or step-children and the requested information:

<u>NAME</u>	<u>SEX</u>	<u>AGE</u>	<u>OCCUPATION</u>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

8. Please list your parents and/or step-parents, brothers and/or step-brothers, and sisters and/or step-sisters and the requested information:

<u>RELATIVE</u>	<u>NAME</u>	<u>AGE</u>	<u>OCCUPATION</u>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

9. Are you responsible for paying child support? YES _____ NO _____

10. Do you receive child support for minor children in your custody? YES _____ NO _____

EMPLOYMENT:

11. Your occupation: _____ Title: _____

12. Your employer: _____ How long? _____

13. Please describe your job duties. _____

14. If retired, please list your last occupation and years of service. _____

15. Spouse's occupation _____ Title: _____

16. Spouse's employer: _____ How long? _____

17. Please describe your spouse's job duties. _____

18. If your spouse is retired, please list his/her last occupation and years of service. _____

19. Please list your previous employers for the last ten years. _____

20. Please list your spouse's previous employers for the last ten years. _____

21. Have you ever, as an adult, been unemployed? YES _____ NO _____. If yes, please describe the experience. _____

EDUCATION:

22. Please describe your formal education:

	<u>ATTENDED</u>	<u>GRADUATED</u>	<u>WHEN</u>	<u>WHERE</u>
High School	YES() NO ()	YES () NO ()	_____	_____
Voc/Tech School	YES() NO ()	YES () NO ()	_____	_____
Business/Secretary	YES() NO ()	YES () NO ()	_____	_____
Community College	YES() NO ()	YES () NO ()	_____	_____
Four Year College	YES() NO ()	YES () NO ()	_____	_____
Post-Grad College	YES() NO ()	YES () NO ()	_____	_____

23. If your formal education was beyond high school, please describe the areas of concentration. For example, college major and minor, or type of vocational/technical training. _____

24. Are you presently a student at any public or private secondary school or in actual attendance at an institution of higher education? YES _____ NO _____. If yes, please indicate name of school or institution and course of study. _____

MILITARY SERVICE:

25. Have you ever served in the military? YES _____ NO _____. Has your spouse? YES _____ NO _____. If yes to either or both, please answer the following:

(a) Which branch? _____ When? _____

(b) Drafted? _____ Enlisted? _____ Re-enlisted? _____

(c) Highest rank attained: _____

(d) Duties: _____

(e) In combat? YES _____ NO _____ If yes, when and where? _____
If yes, were you ever required to take a human life? YES _____ NO _____.

(f) Ever serve on a summary, general, or special court martial? YES _____ NO _____ If yes, what was the nature or type of charges? _____

(g) Receive an honorable discharge? YES _____ NO _____

THE CRIMINAL JUSTICE SYSTEM:

26. What is your personal opinion about the criminal justice system? _____

27. What are your personal opinions about law enforcement in general and police officers, in particular? _____

28. Have you ever filed a complaint against a police officer or anyone in law enforcement? YES _____ NO _____. If yes, please explain: _____

29. Do you think most criminal sentences are too easy, too hard, or about right? Too Easy _____ Too Hard _____ About Right _____

30. How successful do you believe our system of criminal justice is in dealing with the problem of crime? (Check one)
Highly successful _____ Mostly successful _____ Mostly unsuccessful _____ Highly unsuccessful _____

31. Do you believe that there are any changes which we could make in our criminal justice system which would make it more efficient in dealing with the problem of crime? YES _____ NO _____
If yes, what changes could be made? _____

32. Does a person's race and/or socioeconomic status have any effect on the way he is treated by the criminal justice system? YES _____ NO _____. If yes, please explain _____

33. Rank the following objectives of punishment in order of their importance to you: (1 being most important, 4 being least important)

- Deter others
- Rehabilitate those convicted
- To prevent the recurrence of criminal behavior
- Punishment/Retribution

34. Which statement best reflects your view on human behavior: (circle one)

- (a) "People are free to choose which course of conduct to take."
- (b) "People are a product of their environment."

35. (a) What is your personal opinion regarding the reliability of scientific evidence such as DNA testing, fingerprinting, hair and fiber analysis, ballistics, etc.? _____

(b) Do you believe that it should be used as evidence for or against an accused? YES _____ NO _____

36. (a) What is your personal opinion about the mental health profession (i.e. psychiatrists, psychologists, therapists, etc.)? _____

(b) Do you believe that the testimony of mental health professionals should be used as evidence for or against an accused? YES _____ NO _____

37. Do you have any moral, religious or personal beliefs that would prevent you from sitting in judgment of another human being? YES _____ NO _____ If yes, please explain your answer.

38. Do you believe that the possession/use of marijuana and/or other illegal drugs should be legalized? YES _____ NO _____

39. The following are statements regarding the law. Please state your personal belief regarding each of these statements by circling the appropriate response.

a. "The criminal justice system protects the rights of the one accused of committing a crime."
Strongly agree Agree Uncertain Disagree Strongly Disagree

b. "Police officers enforce the laws in a professional and fair way."
Strongly agree Agree Uncertain Disagree Strongly Disagree

- c. "I trust the criminal justice system in Bowie and/or Rusk County"
Strongly agree Agree Uncertain Disagree Strongly Disagree
- d. "Criminal laws (including sentences and punishment) treat criminal defendants too harshly."
Strongly agree Agree Uncertain Disagree Strongly Disagree
- e. "Persons determine their destiny or fate by the choices they make in life."
Strongly agree Agree Uncertain Disagree Strongly Disagree
- f. "All people accused of a crime deserve a fair trial."
Strongly agree Agree Uncertain Disagree Strongly Disagree
- g. "The criminal justice system protects the rights of the victim of a crime."
Strongly agree Agree Uncertain Disagree Strongly Disagree
- h. "The criminal justice system protects the rights of the person accused of the crime more than the rights of the victim of the crime."
Strongly agree Agree Uncertain Disagree Strongly Disagree
- i. "A person who is charged with a crime is probably guilty."
Strongly agree Agree Uncertain Disagree Strongly Disagree
- j. "A person who does not testify at a trial is probably guilty."
Strongly agree Agree Uncertain Disagree Strongly Disagree
- k. "In a criminal trial the prosecution has more credibility than the attorneys representing the defendant."
Strongly agree Agree Uncertain Disagree Strongly Disagree
- l. "If a person is convicted of capital murder, he should be assessed the death penalty."
Strongly agree Agree Uncertain Disagree Strongly Disagree
- m. "The testimony of law enforcement officers or agents is not entitled to any greater or less weight merely because they are law enforcement officers or agents."
Strongly agree Agree Uncertain Disagree Strongly Disagree

40. What is your general feeling about the honesty and integrity of the following people: (4 = very honest, 3 = somewhat honest, 2 = not very honest, 1 = very dishonest, 0 = no opinion)

Judges _____

Prosecutors _____

Criminal Defense Attorneys _____

Criminal Defendants _____

Law Enforcement Officers _____

THE DEATH PENALTY:

41. A person convicted of capital murder in Texas may receive the death penalty or life in prison.

(a) In the space below, please state the best description of your own personal feelings about the death penalty following a conviction for capital murder.

(b) In the space below, please state the best description of your own personal feelings about the life sentence following a conviction for capital murder.

42. With reference to the death penalty, which statement best represents your feelings: (CIRCLE)

- (a) "I believe that any person convicted of capital murder should be given the death penalty."
- (b) "I believe that the death penalty is appropriate in some capital murder cases and I could return a verdict in a proper case which assessed the death penalty."
- (c) "Although I do not believe that the death penalty should ever be invoked, I could assess it, under the proper set of circumstances, as long as the law provides for it."
- (d) "I believe that the death penalty is appropriate in some capital murder cases, but I could never return a verdict which assessed the death penalty."
- (e) "I could never, under any circumstances, return a verdict which assessed the death penalty."

43. In a capital murder case, do you think that a life sentence, rather than the death penalty, could be appropriate under the proper circumstances? YES _____ NO _____ Please explain your answer.

44. Do you have any moral, religious or personal beliefs that would prevent you from returning a verdict which would ultimately result in the execution of another human being? YES _____ NO _____ If yes, please explain your answer. _____

45. Is there any particular event in your life which has influenced the way you feel, or any particular reason why you feel about the death penalty as you do? YES _____ NO _____. If yes, please

explain _____

46. Have you ever felt differently about the death penalty than you do now? YES _____ NO _____
If yes, please explain what brought about the change: _____

47. What purpose, if any, do you believe that the death penalty (capital punishment) serves in our society? _____

48. On a scale of 0 to 10, with 10 being a person who believes that the death penalty should be assessed in every case when a person has been convicted of capital murder, and 0 being a person who believes that the death penalty should never be assessed for a person convicted of capital murder, please circle the number that you believe best describes where you would fit on the scale.

10 9 8 7 6 5 4 3 2 1 0

49. If the issue of whether Texas should keep the death penalty was on the ballot in the next election, how would you vote? FOR _____ AGAINST _____ NOT SURE _____

50. Have you ever known anyone who was a homicide victim? YES _____ NO _____. If yes, please explain _____

51. Do you know of any reason why you could not sit as a juror in this case and be absolutely fair to both the defendant and the State and render a verdict based solely upon the evidence presented to you? YES _____ NO _____. If yes, please explain your answer. _____

POLITICAL AFFILIATIONS:

52. Which of the following would you say comes closest to describing your general political philosophy? (Circle one) Liberal, Conservative, Moderate

53. Do you consider yourself a Democrat, Republican, Independent or Other? (Circle one)

54. Which of the following would you say comes closest to describing your spouse's general political philosophy? (Circle one) Liberal, Conservative, Moderate

55. Do you consider your spouse a Democrat, Republican, Independent or Other? (Circle one)

56. Are you registered to vote? YES _____ NO _____. If so, do you vote in (check one) most elections _____, some elections _____, or rarely _____?
57. Have you ever held or sought political office: YES _____ NO _____. If yes, what position and when: _____
58. Have you or your spouse ever worked on a political campaign? YES _____ NO _____. If yes, please describe: _____

CIVIC ORGANIZATIONS/ACTIVITIES:

59. Please list the civic clubs, societies, unions, professional associations, or other organizations of which you have been a member. _____

60. What office, if any, have you held in these organizations? _____
61. Do you do volunteer work? YES _____ NO _____ If yes, what kind of work and for what organizations? _____

62. Do you contribute money or services to any charitable organization? YES _____ NO _____ If yes, please describe: _____

63. Are you or your spouse a member of, or contributed money or time to any group involved in law enforcement, support for or opposition to the death penalty, victim's or defendant's rights, or monitoring of the courts, such as: (check all that are applicable)
- | | |
|--------------------------------|-------|
| Neighborhood Crime Watch | _____ |
| Crime stoppers | _____ |
| Citizens for Law and Order | _____ |
| Mothers Against Drunk Driving | _____ |
| Rape Crisis Center | _____ |
| Justice for All | _____ |
| NRA | _____ |
| Amnesty International | _____ |
| American Civil Liberties Union | _____ |
| Handgun Control Inc. | _____ |
| NAACP | _____ |
| Any anti-death penalty group | _____ |
| Other (please name): | _____ |

RELIGION:

64. What is your religious preference? _____
65. Are you a member of a local church, temple or religious organization? YES _____ NO _____. If yes, what is the name and location? _____
66. What activities (other than attendance) are you involved in at your church, temple, or religious organization, including church offices held? _____
67. Have you or your spouse ever studied for the ministry or a similar position of religious leadership? YES _____ NO _____. If yes, please give details _____
68. How would you classify your religious observance attendance? (Circle one)
- (a) More than once a week
 2. Once a week
 3. Once a month
 4. Special occasions
 5. Do not attend

MISCELLANEOUS PERSONAL:

69. Do you have any difficulty in seeing or hearing or any disability or health problem that would make jury service a hardship for you? YES _____ NO _____. If yes, please explain _____
70. Are you currently taking any medication? YES _____ NO _____. If yes, please list: _____
71. Do you drink alcoholic beverages? YES _____ NO _____. If yes, the average number of drinks you consume per week is: _____
- If no, Is it due to religious or moral convictions? YES _____ NO _____
72. Have you, your spouse, or someone in your immediate family ever consulted with or received treatment by a mental health expert or facility? YES _____ NO _____. If yes, please describe _____
73. Do you or your spouse personally know any psychiatrist or psychologists? YES _____ NO _____. If yes, please name them: _____

74. (a) What television show(s) do you watch most frequently? _____

(b) Do you regularly watch shows pertaining to the criminal justice system, such as *Law & Order*, *CSI*, *Boston Legal* and others? YES _____ NO _____. If yes, which ones? _____

(c) What magazines do you read? _____

(d) Have you ever read a book about a murder trial? YES _____ NO _____

75. (a) From what source(s) do you typically receive the news? _____

(b) How frequently do you watch news on television or listen to news on the radio? _____

76. (a) Which newspapers do you read? _____

(b) Have you ever written a letter to the Editor? YES _____ NO _____

77. What are your hobbies, favorite recreation and spare time activities? _____

78. (a) What type of vehicle do you drive? _____

(b) Do you have a bumper sticker on your vehicle? YES _____ NO _____. If yes, please state the message(s) _____

(c) Have you ever owned personalized license plates? YES _____ NO _____. If yes, please state the message on the plates _____

79. Do you or any member of your household own a pet(s)? YES _____ NO _____. If yes, what kind(s)? _____

80. List two (2) men and two (2) women who are publicly known, whom you most respect:

MEN

WOMEN

81. List two (2) men and two (2) women who are publicly known, whom you DO NOT respect:

MEN

WOMEN

LEGAL/LAW ENFORCEMENT:

82. Have you ever studied (a) Law, (b) Psychology, (c) Sociology, (d) Criminology, or (e) Forensics? YES _____ NO _____. If yes, please state what, when and where _____

83. Have you ever had a special interest in a criminal case involving another person? YES _____ NO _____. If yes, please state what case and what caused you to have this interest. _____

84. Are you presently under indictment or legal accusation for any misdemeanor or any felony? YES _____ NO _____. If yes, please describe _____

85. Please list all attorneys you know and whether you know them socially or professionally:

NAME:	SOCIALLY	PROFESSIONALLY
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

86. Have you ever had an unpleasant experience with an attorney? YES _____ NO _____. If yes, please explain: _____

87. Have you ever been involved in any type of litigation? YES _____ NO _____. If yes, please explain: _____

88. Have you or your spouse ever served on a grand jury? YES _____ NO _____. If yes, please explain when and where _____

89. Have you served as a juror before? YES _____ NO _____. If yes:

- (a) Civil _____ Criminal _____
- (b) Type of case: _____
- (c) How long ago _____

- (d) County: _____
- (e) Did the jury reach a verdict? YES _____ NO _____
- (f) Did the jury assess punishment? YES _____ NO _____
If so, what was the punishment assessed _____
- (g) Were you the foreperson of the jury? YES _____ NO _____
- (h) Was there anything that made it an unsatisfactory experience for you? YES _____
NO _____ If yes, please explain _____
- (i) Has your spouse ever served on a jury? YES _____ NO _____

90. Have you, your spouse, or other member of your immediate family ever appeared as a witness in a criminal prosecution? YES _____ NO _____ If yes, please explain _____

91. Have you ever appeared before City Council, the Legislature or other similar government body? YES _____ NO _____. If yes, please explain. _____

92. Do you have any relative, close friend, or co-worker who has also been called for duty on this jury panel? YES _____ NO _____ If yes, please name the person and describe his or her relationship to you. _____

FOR QUESTIONS 93 THROUGH 82
HAVE YOU, YOUR SPOUSE, ANY MEMBER OF YOUR FAMILY,
OR ANY OF YOUR CLOSE FRIENDS EVER:

93. Been a law enforcement officer (including auxiliary or reserve), such as a city, county, state, or federal policeman, Constable, Sheriff, Deputy Sheriff, Texas Ranger, Texas Department of Public Safety Officer, etc.? YES _____ NO _____ If yes, state the person, position, organization, and approximate date. _____

94. Applied for a job in law enforcement without being hired. YES _____ NO _____ If yes, please state the person, position, organization, and approximate date. _____

95. Worked or volunteered as an employee of any law enforcement agency? (If already answered under 68, please do not repeat). YES _____ NO _____ If yes, please state the person, position, organization, and approximate date _____

-
96. Worked or volunteered in a prison, jail or detention center of any sort? YES _____ NO _____ If yes, please state the person, position, organization, and approximate date. _____
-
97. Worked or volunteered for a security or detective service? YES _____ NO _____ If yes, please state the person, position, organization, and approximate date. _____
-
98. Worked or volunteered for a public prosecutor's office? YES _____ NO _____ If yes, please state the person, position, organization, and approximate date. _____
-
99. Worked or volunteered for any type of a lawyer or law office? YES _____ NO _____ If yes, please state the person, position, organization, and approximate date. _____
-
100. Worked or volunteered in a local, state or federal court system? YES _____ NO _____. If yes, please state the person, position, organization and approximate date _____
-
101. Had occasion to use the offices of the Bowie and/or Rusk County District Attorney or the Attorney General? YES _____ NO _____. If yes, please state the person and explain _____
-
102. Been associated with any program or activity for rehabilitating persons convicted of crimes? YES _____ NO _____ If yes, please state the person, position, organization, and approximate date. _____
-
103. Been a victim of a crime? YES _____ NO _____ If yes, please state the person, type of crime, approximate date, and result of any criminal action _____
-
104. Been accused of or convicted of a criminal offense, other than a traffic offense, including deferred adjudication and/or probation? YES _____ NO _____ If yes, please the person, state when, where, nature of offense, and sentence or other disposition. _____

105. Been a prisoner in jail or a penitentiary? YES _____ NO _____ If yes, please state the person, when, where, and for what reason. _____

106. Been accused of doing something criminal that you/ they did not do? YES _____ NO _____. If yes, please state the person and explain _____

107. Had an unpleasant experience involving law enforcement personnel? YES _____ NO _____ If yes, please describe the incident _____

KNOWLEDGE OF THIS CASE:

Although neither side is permitted to tell you their version of the facts of this case, both sides have agreed to summarize the allegations as follows, to see if you know anything about the case:

The Defendant, Romeo Pinkerton is charged with committing the capital murders of Opie Hughes, Joseph Johnson, Montgomery Landers, David Maxwell, and Mary Tyler on September 23, 1983 in Rusk County, Texas. This case is commonly referred to as the "Kentucky Fried Chicken (KFC) Murders."

If you think you have heard or read or know anything about this case, do not discuss your recollections about the case with your fellow jurors.

108. Other than what you have heard in court, have you read, seen, or heard anything from any source about this case, or about the alleged facts made the basis of the indictment in this case? YES _____ NO _____. If yes, please list the source of information and what you have read, seen or heard. _____

109. Do you know the Judge or any of the attorneys in this case?
Hon. Clay Gossett YES _____ NO _____
Michael Jimerson YES _____ NO _____
Lisa Tanner YES _____ NO _____

Laura Popps
Jeff Haas
David Griffith

YES _____ NO _____
YES _____ NO _____
YES _____ NO _____

If yes, please explain your association _____

110. Do you know the Defendant in this case, Romeo Pinkerton or do you know anyone in his immediate family? YES _____ NO _____ If yes, please describe the way in which you are acquainted with him/them. _____

111. Please describe all that you have heard, from any source, about the Defendant, Romeo Pinkerton. _____

112. Did you know Opie Hughes, Joseph Johnson, Montgomery Landers, David Maxwell and/or Mary Tyler, the deceased complainants in this case, or do you know anyone in their immediate families? YES _____ NO _____ If yes, please describe the way in which you were/are acquainted with him/her/them. _____

113. Please describe all that you have heard, from any source, about any or all of the deceased complainants, Opie Hughes, Joseph Johnson, Montgomery Landers, David Maxwell and/or Mary Tyler. _____

114. Please review the attached list. If you are acquainted in any way with any person listed, please circle his or her name and describe the way in which you are acquainted with him or her. _____

115. If you have any plans to be out of Bowie County within the next two months, please indicate the dates: _____

116. Is there anything about your job or family that would affect your service as a juror? YES _____ NO _____ If yes, please explain _____

117. As a result of having been asked to fill out this questionnaire, have you formed any opinion about this case? YES _____ NO _____.

118. Do you want to be a juror in this case? YES _____ NO _____ Why or why not? _____

119. While this questionnaire has been fairly comprehensive, is there something that you feel the Court or the attorneys representing the State and the accused should know about that you feel might affect your services as a juror should you be selected? YES _____ NO _____. If yes, please explain _____

“I have never been convicted of any felony as an adult or juvenile. I have never been convicted of any kind of theft or shoplifting (regardless of value) as an adult or juvenile. I am not under indictment, nor am I under any legal accusation for any grade of theft or any felony.”

120. As applied to you, is the above statement true and correct? YES _____ NO _____.

Understanding that I am under oath, I swear or affirm that I have answered the foregoing questions truthfully and to the best of my knowledge.

SIGNATURE OF PROSPECTIVE JUROR