

[1] resident of the city of Philadelphia, and you may
 [2] not have been convicted of a crime that could be
 [3] punishable by imprisonment for more than a year.
 [4] So please raise your juror number if
 [5] the following situations -- any of these situations
 [6] **apply to you:** You're less than 18, not a U.S.
 [7] citizen, not a current resident of Philadelphia, or
 [8] had been convicted of a crime that could have been
 [9] punishable of imprisonment for more than a year.
 [10] Please raise your juror number.
 [11] **THE COURT OFFICER:** No response, Your
 [12] Honor.
 [13] **THE COURT:** Is there anyone here who
 [14] has difficulty with the English language or any
 [15] mental, physical, or other limitation that may be
 [16] difficult to hear or concentrate the testimony of a
 [17] witness?
 [18] Please raise your jury number.
 [19] **THE COURT OFFICER:** No response, Your
 [20] Honor.
 [21] **THE COURT:** This case does not
 [22] involve the death penalty. So if you answered yes
 [23] to the questionnaire form that indicates the
 [24] difficulty with the religious or moral beliefs that
 [25] would prevent you from sitting on a jury panel

[1] because of those beliefs about the death penalty,
 [2] you can put that out of your mind.
 [3] With that understanding, does anyone
 [4] have any moral or religious beliefs that would
 [5] prevent him or her from sitting on a jury panel and
 [6] rendering a fair verdict?
 [7] Please raise your juror number.
 [8] **THE COURT OFFICER:** No response, Your
 [9] Honor.
 [10] **THE COURT:** Okay. As I previously
 [11] stated, it's the defendant's Constitutional right to
 [12] remain silent. Under no certain circumstances
 [13] should he be judged negatively if he exercises that
 [14] right.
 [15] Is there anybody who can not follow
 [16] this instruction?
 [17] Please raise your juror number.
 [18] **THE COURT OFFICER:** No response, Your
 [19] Honor.
 [20] **THE COURT:** Okay. After hearing
 [21] everything that I stated thus far regarding the
 [22] important protections that we have in criminal
 [23] trials, does anyone believe that he or she can not
 [24] be a fair and impartial juror?
 [25] Please raise your juror number.

[1] **THE COURT OFFICER:** No response, Your
 [2] Honor.
 [3] **THE COURT:** I expect this matter to
 [4] last at the end of the week. You will be going home
 [5] every day. Keeping in mind everyone sacrifices
 [6] something, whether it's time or money, to be
 [7] selected on a jury.
 [8] Does anyone believe that he or she
 [9] has as an "extraordinary" hardship that would
 [10] prevent him or her from sitting on this matter.
 [11] Please raise your jury number.
 [12] **THE COURT OFFICER:** 1, 6, 7, 14. No
 [13] further response.
 [14] **THE COURT:** Okay. Let's separate
 [15] them up, please.
 [16] **MR. LaTOUR:** Judge, may we see you on
 [17] side bar briefly?
 [18] **THE COURT:** On the record?
 [19] **MR. LaTOUR:** It doesn't have to be on
 [20] the record. I just need clarification on something.
 [21] **THE COURT:** Okay.
 [22] Excuse me.
 [23] (Whereupon there was a discussion held at
 [24] side bar.)
 [25] **THE COURT OFFICER:** Jurors, if I call

[1] your number, take your belongings and leave your
 [2] number card. You're going to report back down to
 [3] Room 101. Jurors Number 5, 6, 7, and 8. Leave your
 [4] number cards, take your belongings. You're going to
 [5] go back down to Room 101.
 [6] The remainder of you leave your
 [7] number cards on the seat and bring your belongings.
 [8] You're going to have a seat back here.
 [9] **THE COURT:** Counsel, please state
 [10] your on the record your difficulty.
 [11] **MR. LaTOUR:** Sure, Your Honor.
 [12] As we just discussed at side bar,
 [13] Your Honor indicated that out of the panel we have
 [14] today, Numbers 5 and 7 were determined to be on the
 [15] B list. When I reviewed their questionnaires, the
 [16] only answers they gave yes to below the first seven,
 [17] were Question Number 9, that they would be less
 [18] likely to believe a police officer because of his or
 [19] her job.
 [20] My objection is, is that apparently
 [21] yesterday we had a number of people who answered yes
 [22] to Question 8 -- 8 and 9 are the same question,
 [23] just, are you more likely or less likely.
 [24] It's patently unfair to my client to
 [25] automatically exclude any potential juror who

[1] answers yes to Number 9. While at the same time,
[2] potentially allow anybody who answers yes to
[3] Question Number 8.

[4] I mean, I've done this a number of
[5] times. I understand the process of A and B. My
[6] understanding -- and maybe it's my mistake and I
[7] didn't hear you clearly -- is that it's a B person
[8] if anybody answers yes to any of the questions 10
[9] through 16.

[10] But to draw the line after eight and
[11] to separate and say that people who answer yes to
[12] Question 8 who would be more likely to believe
[13] police get to be potentially on the jury while
[14] people who answer yes to Question 9 are
[15] automatically excluded is fundamentally unfair.

[16] In addition, yesterday, when I got
[17] the sheets, there were a number of sheets that were
[18] missing, so I didn't get a chance to look at that.

[19] And again, I was under the impression
[20] that anybody that was put in the B pile yesterday
[21] was somebody that answered yes to Questions 10
[22] through 16.

[23] But apparently, then, the pool
[24] yesterday was the same thing, because I know we had
[25] a number of potential jurors that were questioned

[1] yesterday and probably even some that were put on
[2] the jury who answered yes to Question 8.

[3] And now, the Court is taking the
[4] position that anybody who answered Questions 8 and 9
[5] are automatically excluded, and I would have to
[6] object at this point and I would have to move to
[7] strike the entire panel.

[8] **THE COURT:** Okay. Commonwealth?

[9] **MS. VEDEJS:** I mean, I would leave it
[10] up to Your Honor. I've -- I don't know.

[11] **THE COURT:** I've placed in the B list
[12] folks from nine on down, if they indicated -- and
[13] there have been folks yesterday that had -- if my
[14] memory serves me correctly, multiple checks from
[15] nine on down. Because it's been my experience that
[16] those that check off those categories are far less
[17] likely to indicate that they can serve fairly. And
[18] then we questioned the rest.

[19] So your objection's noted and
[20] overruled.

[21] Let's go to Number 1.

[22] **MR. LaTOUR:** And Judge, and just to
[23] be clear, I'm not making any dispute of people who
[24] checked any questions in addition to 9, like 10, 11,
[25] 12, 13, 14, 15, 16, I'm not objecting --

[1] **THE COURT:** I understood your
[2] objection, sir, and it's noted, overruled.

[3] And let's go.

[4] I also struck for cause folks that
[5] indicated that they could not be fair if they
[6] believed the testimony of a police officer just
[7] because they were a police officer.

[8] **MR. LaTOUR:** But those were people
[9] that we, actually, questioned.

[10] **THE COURT:** Okay. I understand that,
[11] but -- all right. Fine.

[12] Number 1, please.

[13] **THE COURT:** Number 1.

[14] All right. Juror Number 1, how are
[15] you?

[16] **PERSPECTIVE JUROR 1:** Good. How are
[17] you?

[18] **THE COURT:** What is the nature of
[19] your hardship, sir?

[20] **PERSPECTIVE JUROR 1:** I am a dentist.
[21] I have a full patient load tomorrow, and I don't
[22] think I should be having to cause people to delay
[23] their treatment.

[24] **THE COURT:** That being said, sir, to
[25] be perfectly honest with you, that would mean if I

[1] were to adopt your -- any doctor, any dentist, any
[2] person who's in the medical field who's not
[3] otherwise available could not serve on a jury. I
[4] can't do that.

[5] Is there anybody else in your
[6] practice?

[7] **PERSPECTIVE JUROR 1:** I mean, there's
[8] other people, but we're all booked fully.

[9] **THE COURT:** Okay. What would happen
[10] if you were sick?

[11] **PERSPECTIVE JUROR 1:** That's out of
[12] my hands at that point.

[13] **THE COURT:** All right.

[14] Unfortunately, so is this.

[15] Juror Number 1, were you born and
[16] raised in Philadelphia?

[17] **PERSPECTIVE JUROR 1:** No.

[18] **THE COURT:** What area were you born
[19] and raised?

[20] **PERSPECTIVE JUROR 1:** Connecticut.

[21] **THE COURT:** Oh, okay. How long have
[22] you lived in Philadelphia?

[23] **PERSPECTIVE JUROR 1:** Just over a
[24] year.

[25] **THE COURT:** Always in the Spring

[1] Garden Section?
 [2] **PERSPECTIVE JUROR 1:** Yes.
 [3] **THE COURT:** And sir, how long have
 [4] you been working as a dentist?
 [5] **PERSPECTIVE JUROR 1:** Two and a half
 [6] years.
 [7] **THE COURT:** All right. Sir, I'm
 [8] assuming that your background is in dentistry; is
 [9] that correct?
 [10] **PERSPECTIVE JUROR 1:** Yes.
 [11] **THE COURT:** All right. Now, sir, you
 [12] indicated that you would be more likely to believe
 [13] the testimony of a police officer just because of
 [14] his or her job. Did you listen to my instruction
 [15] with respect to how you're to evaluate the testimony
 [16] of a police officer versus anyone who is not a
 [17] police officer?
 [18] **PERSPECTIVE JUROR 1:** Yes.
 [19] **THE COURT:** Can you follow that
 [20] instruction?
 [21] **PERSPECTIVE JUROR 1:** I think so. I
 [22] believe so.
 [23] **THE COURT:** Well, okay. "I think so"
 [24] and "I believe so" sometimes folks say as a turn of
 [25] phrase or sometimes folks have questions in their

[1] mind. You know what I mean? And I don't know you.
 [2] So I need for you to tell me do you have a doubt as
 [3] to whether or not you can do that?
 [4] **PERSPECTIVE JUROR 1:** Yes, I do have
 [5] a doubt.
 [6] **THE COURT:** Okay. Fine. You're
 [7] excused for cause. Thank you.
 [8] **THE COURT OFFICER:** Sir, please
 [9] follow me.
 [10] **THE COURT:** Juror Number 2, please.
 [11] And we'll make -- the first person we
 [12] pick we'll make this person Number 7.
 [13] Okay. Juror Number 2, how are you?
 [14] **PERSPECTIVE JUROR 2:** Good. Thanks.
 [15] **THE COURT:** Juror Number 2, were you
 [16] born and raised in Philadelphia?
 [17] **PERSPECTIVE JUROR 2:** No. Upstate
 [18] Pennsylvania.
 [19] **THE COURT:** How long have you lived
 [20] in Philadelphia?
 [21] **PERSPECTIVE JUROR 2:** Since Eighth
 [22] grade.
 [23] **THE COURT:** All right. Always in the
 [24] Overbrook Section?
 [25] **PERSPECTIVE JUROR 2:** No. For the

[1] last 29 years.
 [2] **THE COURT:** And how long have you
 [3] been -- don't say where you work, okay. How long
 [4] have you been working in the catering business?
 [5] **PERSPECTIVE JUROR 2:** Twenty years.
 [6] **THE COURT:** You said that you had two
 [7] years of college. Without stating where you went to
 [8] school, what was your major of study?
 [9] **PERSPECTIVE JUROR 2:** Liberal arts.
 [10] **THE COURT:** Okay. You said you
 [11] served as a juror before. Was that a criminal case
 [12] or a civil case?
 [13] **PERSPECTIVE JUROR 2:** It was a
 [14] criminal case.
 [15] **THE COURT:** Without stating what the
 [16] verdict was, did the jury reach a verdict?
 [17] **PERSPECTIVE JUROR 2:** Yes.
 [18] **THE COURT:** Someone close to you was
 [19] a victim of a crime. Who would that be relative to
 [20] yourself?
 [21] **PERSPECTIVE JUROR 2:** It was just
 [22] myself.
 [23] **THE COURT:** Okay.
 [24] **PERSPECTIVE JUROR 2:** What was it?
 [25] **THE COURT:** Yes.

[1] **PERSPECTIVE JUROR 2:** Someone broke
 [2] into my house and held a knife to my neck.
 [3] **THE COURT:** Held a knife to your
 [4] neck?
 [5] **PERSPECTIVE JUROR 2:** Yes.
 [6] **THE COURT:** And how long ago was
 [7] that?
 [8] **PERSPECTIVE JUROR 2:** It was about
 [9] seven years ago.
 [10] **THE COURT:** Okay. Is there anything
 [11] about that experience that would affect your ability
 [12] to be fair in this case?
 [13] **PERSPECTIVE JUROR 2:** No, I don't
 [14] think so.
 [15] **THE COURT:** Okay. You said someone
 [16] was an eyewitness to a crime. Is that the same
 [17] event or was that something else?
 [18] **PERSPECTIVE JUROR 2:** Something else.
 [19] **THE COURT:** Something else. Okay.
 [20] What was the something else?
 [21] **PERSPECTIVE JUROR 2:** I wasn't
 [22] approached by, you know, as a witness, but I've seen
 [23] someone kill a man at the end of my block in
 [24] Overbrook. House stabbing.
 [25] **THE COURT:** Okay. About how long ago

[1] was that?
 [2] **PERSPECTIVE JUROR 2:** Probably six
 [3] years ago.
 [4] **THE COURT:** Okay. Is there anything
 [5] about that experience that would affect your ability
 [6] to be fair in this case?
 [7] **PERSPECTIVE JUROR 2:** I don't think
 [8] so.
 [9] **THE COURT:** Okay. Again, you know
 [10] what? Some people say "I don't think so" very
 [11] positively as a turn of phrase, meaning, you know, I
 [12] don't have a problem or that they have a doubt. So
 [13] which is it?
 [14] **PERSPECTIVE JUROR 2:** I don't have a
 [15] problem, no.
 [16] **THE COURT:** Okay. Commonwealth?
 [17] **TORNEY2:** I have no questions.
 [18] Thank you, ma'am.
 [19] **THE COURT:** Defense?
 [20] **MR. LaTOUR:** Good morning, ma'am.
 [21] **PERSPECTIVE JUROR 2:** Good morning.
 [22] **MR. LaTOUR:** The home invasion that
 [23] you suffered, that was seven years ago?
 [24] **PERSPECTIVE JUROR 2:** About seven.
 [25] **MR. LaTOUR:** Was somebody arrested?

[1] **PERSPECTIVE JUROR 2:** No, they
 [2] weren't.
 [3] **MR. LaTOUR:** You reported it to the
 [4] police?
 [5] **PERSPECTIVE JUROR 2:** Yes.
 [6] **MR. LaTOUR:** Okay. And you said you
 [7] witnessed a murder on your block about six years
 [8] ago?
 [9] **PERSPECTIVE JUROR 2:** About six years
 [10] ago.
 [11] **MR. LaTOUR:** And you weren't
 [12] interviewed by the police?
 [13] **PERSPECTIVE JUROR 2:** No.
 [14] **MR. LaTOUR:** Did you contact the
 [15] police?
 [16] **PERSPECTIVE JUROR 2:** The whole
 [17] neighborhood was out so I'm sure somebody called.
 [18] **MR. LaTOUR:** Was somebody arrested in
 [19] that matter?
 [20] **PERSPECTIVE JUROR 2:** I believe they
 [21] were.
 [22] **MR. LaTOUR:** All right. But you
 [23] didn't have to appear in any court proceeding?
 [24] **PERSPECTIVE JUROR 2:** No.
 [25] **MR. LaTOUR:** Thank you. That's all I

[1] have.
 [2] **THE COURT:** Thank you, Juror. Could
 [3] you follow our court officer and wait for further
 [4] instructions?
 [5] **THE COURT OFFICER:** Come with me,
 [6] please.
 [7] **THE COURT:** Commonwealth?
 [8] **MS. VEDEJS:** Accept.
 [9] **THE COURT:** Defense?
 [10] **MR. LaTOUR:** Strike.
 [11] **THE COURT:** Defense strike number
 [12] five.
 [13] **MR. LaTOUR:** I believe that's six.
 [14] **THE COURT:** Six.
 [15] Juror Number 3, please.
 [16] Good morning, Juror. How are you?
 [17] **PERSPECTIVE JUROR 3:** Doing fine.
 [18] Thank you.
 [19] **THE COURT:** Good, good, good.
 [20] Juror Number 3, were you born and
 [21] raised in Philadelphia?
 [22] **PERSPECTIVE JUROR 3:** Yes, I was.
 [23] **THE COURT:** Always resided in the
 [24] Northeast Section?
 [25] **PERSPECTIVE JUROR 3:** Yes, I have.

[1] **THE COURT:** Without telling me where
 [2] you work, you're a director of finance in
 [3] administration for what type of concern?
 [4] **PERSPECTIVE JUROR 3:** Nonprofit
 [5] organization.
 [6] **THE COURT:** And how long have you
 [7] been doing that?
 [8] **PERSPECTIVE JUROR 3:** For over 25
 [9] years. Not at this organization. For two different
 [10] nonprofit organizations.
 [11] **THE COURT:** Okay. All right. And
 [12] you indicated that you had some college. What was
 [13] your major of study, without stating where you went
 [14] to school?
 [15] **PERSPECTIVE JUROR 3:** Accounting.
 [16] **THE COURT:** Now, you also said
 [17] someone close to you was a victim of a crime. Who
 [18] would that have been relative to yourself?
 [19] **PERSPECTIVE JUROR 3:** Well, we've had
 [20] our cars broken into several times -- myself and my
 [21] husband. Our cars broken into. I guess that's what
 [22] I was thinking of.
 [23] **THE COURT:** Okay. Is there anything
 [24] about those experiences that would affect your
 [25] ability to be fair in this case?

[1] PERSPECTIVE JUROR 3: No.
 [2] THE COURT: And you said someone
 [3] close to you was an eyewitness to a crime. Are
 [4] those the same type of events that you were talking
 [5] about or something separate?
 [6] PERSPECTIVE JUROR 3: My husband
 [7] witnessed a burglary.
 [8] THE COURT: Is there anything about
 [9] your husband's experience that would affect your
 [10] ability to be fair in this case?
 [11] PERSPECTIVE JUROR 3: No.
 [12] THE COURT: You said someone you know
 [13] is in law enforcement that is close to you. Who
 [14] would that be relative to yourself and what type of
 [15] work do they do?
 [16] PERSPECTIVE JUROR 3: My cousin's
 [17] husband just retired as a Philadelphia police
 [18] officer, and their daughter's husband is a
 [19] Philadelphia detective.
 [20] THE COURT: Okay. Is there anything
 [21] about what they do for a living that would affect
 [22] your ability to be fair in this case?
 [23] PERSPECTIVE JUROR 3: No.
 [24] THE COURT: Defense?
 [25] MR. LaTOUR: Good morning, ma'am.

[1] PERSPECTIVE JUROR 3: Good morning.
 [2] MR. LaTOUR: Again, without telling
 [3] us the name of the place that you work for, the
 [4] nonprofit, what area does it work in?
 [5] PERSPECTIVE JUROR 3: It is in the
 [6] area of mathematics.
 [7] MR. LaTOUR: Okay. Thank you. You
 [8] said your husband witnessed a burglary?
 [9] PERSPECTIVE JUROR 3: Yes.
 [10] MR. LaTOUR: Was that in your
 [11] neighborhood?
 [12] PERSPECTIVE JUROR 3: Yes.
 [13] MR. LaTOUR: And how long ago was
 [14] that?
 [15] PERSPECTIVE JUROR 3: It was about --
 [16] it was over 15 years ago.
 [17] MR. LaTOUR: And he reported it to
 [18] the police?
 [19] PERSPECTIVE JUROR 3: Yes, yes, he
 [20] did.
 [21] MR. LaTOUR: Was somebody arrested?
 [22] Do you know?
 [23] PERSPECTIVE JUROR 3: I'm not sure.
 [24] He, actually, apprehended the person.
 [25] MR. LaTOUR: Did he have to go to any

[1] type of court hearing to testify?
 [2] PERSPECTIVE JUROR 3: No, he didn't.
 [3] MR. LaTOUR: Okay. Thank you.
 [4] THE COURT: Commonwealth?
 [5] MS. VEDEJS: I don't have any
 [6] questions, ma'am. Thank you.
 [7] THE COURT: Okay. Ma'am, please
 [8] follow our court officer and wait for further
 [9] instructions.
 [10] THE COURT OFFICER: Come with me,
 [11] please.
 [12] THE COURT: Defense?
 [13] MR. LaTOUR: Strike.
 [14] THE COURT: Defense strike seven.
 [15] Good morning, Juror, how are you?
 [16] PERSPECTIVE JUROR 4: I'm good.
 [17] THE COURT: Jury Number 4, were you
 [18] born and raised in Philadelphia?
 [19] PERSPECTIVE JUROR 4: Yes.
 [20] THE COURT: What section of the city
 [21] have you resided?
 [22] PERSPECTIVE JUROR 4: Northeast.
 [23] THE COURT: Okay. And how long have
 [24] you been working as a social worker?
 [25] PERSPECTIVE JUROR 4: About six

[1] years.
 [2] THE COURT: Okay. Without telling me
 [3] from whom you work or where you work, what type of
 [4] social work do you do?
 [5] PERSPECTIVE JUROR 4: Child welfare.
 [6] THE COURT: All right. And your
 [7] master's was in social work as well?
 [8] PERSPECTIVE JUROR 4: Yes.
 [9] THE COURT: All right. You heard the
 [10] charges in this matter and the allegations. Is
 [11] there anything about -- anything that I talked about
 [12] thus far that would cause you to be an unfair or
 [13] impartial juror -- or unfair juror.
 [14] PERSPECTIVE JUROR 4: No.
 [15] THE COURT: Okay. Commonwealth?
 [16] MS. VEDEJS: I have no questions.
 [17] Thank you, ma'am.
 [18] THE COURT: Defense?
 [19] MR. LaTOUR: I have no questions.
 [20] THE COURT: All right. Juror, please
 [21] follow our court officer and wait for further
 [22] instructions.
 [23] THE COURT OFFICER: Come with me,
 [24] please.
 [25] THE COURT: Commonwealth?

[1] **MS. VEDEJS:** Strike.
 [2] **THE COURT:** Commonwealth strike
 [3] three.
 [4] Your Honor, can I step back for a
 [5] moment? My son's daycare has been calling me.
 [6] **THE COURT:** Okay.
 [7] (Whereupon there was a break in the
 [8] proceedings.)
 [9] **THE COURT:** Juror Number 9, please.
 [10] Good morning, Juror Number 9. How
 [11] are you?
 [12] **PERSPECTIVE JUROR 9:** Fine.
 [13] **THE COURT:** Juror Number 9, were you
 [14] born and raised in Philadelphia?
 [15] **PERSPECTIVE JUROR 9:** Yes.
 [16] **THE COURT:** And sir, have you always
 [17] resided within either the Northeast/Mayfair
 [18] Sections?
 [19] **PERSPECTIVE JUROR 9:** Yes.
 [20] **THE COURT:** Sir, how long have you
 [21] been working as a correctional officer?
 [22] **PERSPECTIVE JUROR 9:** Fourteen years.
 [23] **THE COURT:** Sir, you indicated that
 [24] you were a juror before. Did you serve on a
 [25] criminal case or civil case?

[1] **PERSPECTIVE JUROR 9:** Civil.
 [2] **THE COURT:** And sir, you also checked
 [3] off someone that you know works in law enforcement.
 [4] Would that be relative to your type of work?
 [5] **PERSPECTIVE JUROR 9:** Yes.
 [6] **THE COURT:** Is there anything about
 [7] the nature of your employment that would affect your
 [8] ability to be a fair and impartial juror in this
 [9] case?
 [10] **PERSPECTIVE JUROR 9:** No.
 [11] **THE COURT:** Defense?
 [12] **MR. LaTOUR:** Good morning, sir.
 [13] **PERSPECTIVE JUROR 9:** Good morning.
 [14] **MR. LaTOUR:** Do you work up on State
 [15] Road?
 [16] **PERSPECTIVE JUROR 9:** Yes.
 [17] **MR. LaTOUR:** All right. Is there any
 [18] possibility the fact that you work up on State Road
 [19] with the state prison facilities affect your ability
 [20] to be fair in this case?
 [21] **PERSPECTIVE JUROR 9:** I believe not.
 [22] **MR. LaTOUR:** And the other people --
 [23] I'm sorry. I didn't hear -- the other people in law
 [24] enforcement are whom?
 [25] **PERSPECTIVE JUROR 9:** It's just

[1] myself.
 [2] **MR. LaTOUR:** Just yourself?
 [3] **PERSPECTIVE JUROR 9:** Yes.
 [4] **MR. LaTOUR:** Okay. So there's nobody
 [5] else you know that you're friends with that are
 [6] police officers?
 [7] **PERSPECTIVE JUROR 9:** No.
 [8] **MR. LaTOUR:** Thank you, sir. That's
 [9] all I have.
 [10] **THE COURT:** Commonwealth?
 [11] **MS. VEDEJS:** No questions. Thank
 [12] you, sir.
 [13] **THE COURT:** Thank you, sir. Please
 [14] follow our court officer and wait for further
 [15] instructions.
 [16] **THE COURT OFFICER:** Come with me,
 [17] please.
 [18] **THE COURT:** Defense?
 [19] **MR. LaTOUR:** Acceptable.
 [20] **THE COURT:** Commonwealth?
 [21] **MS. VEDEJS:** Accept.
 [22] **THE COURT:** All right. Juror Number
 [23] 9 will replace Juror Number 7.
 [24] Ten, please.
 [25] Good morning, Juror Number 10. How

[1] are you?
 [2] **PERSPECTIVE JUROR 10:** Good.
 [3] **THE COURT:** Juror Number 10, were you
 [4] born and raised in Philadelphia?
 [5] **PERSPECTIVE JUROR 10:** Yes, I was.
 [6] **THE COURT:** Have you always resided
 [7] in the Northeast?
 [8] **PERSPECTIVE JUROR 10:** No.
 [9] **THE COURT:** What other sections have
 [10] you lived in?
 [11] **PERSPECTIVE JUROR 10:** Fishtown and
 [12] Olney.
 [13] **THE COURT:** Now, without stating
 [14] where you work, you're an underwriter for what type
 [15] of concern?
 [16] **PERSPECTIVE JUROR 10:** Federal
 [17] government.
 [18] **THE COURT:** All right. Now, you said
 [19] that someone close to you was a victim of a crime.
 [20] Who would that be relative to yourself and what type
 [21] of crime?
 [22] **PERSPECTIVE JUROR 10:** It was my
 [23] daughter and she was assaulted around three years
 [24] ago.
 [25] **THE COURT:** Okay. Is there anything

[1] about your daughter's assault that would affect your
 [2] ability to be fair and impartial in this case?
 [3] **PERSPECTIVE JUROR 10:** No. My father
 [4] was also a Philadelphia police officer. And he was
 [5] shot when I was younger. And he was shot in the
 [6] line of duty. I was like 14 when that occurred.
 [7] **THE COURT:** Okay. And he survived?
 [8] **PERSPECTIVE JUROR 10:** He did
 [9] survive. He had a lot of damage but he survived.
 [10] **THE COURT:** Okay. Is there anything
 [11] about your dad's experience that would affect your
 [12] ability to be fair in this case?
 [13] **PERSPECTIVE JUROR 10:** I don't think
 [14] so.
 [15] **THE COURT:** When folks say "I don't
 [16] think so," sometimes they use it as a turn of phrase
 [17] and sometimes they say, I really don't know. I have
 [18] a doubt. Which one?
 [19] **PERSPECTIVE JUROR 10:** No, it
 [20] wouldn't not have any affect on my ability to make a
 [21] decision.
 [22] **THE COURT:** Okay. And that brings me
 [23] to the next question, which may have been the reason
 [24] why you answered it this way, someone you know who
 [25] works in law enforcement. Was that in reference to

[1] your dad or somebody else?
 [2] **PERSPECTIVE JUROR 10:** My father is
 [3] retired from Philadelphia. He moved and works for
 [4] the courts down in Florida in Fort Myers.
 [5] **THE COURT:** All right. Is there
 [6] anything about what your dad did or does for a
 [7] living that would affect your ability to be a fair
 [8] and impartial juror in this case?
 [9] **PERSPECTIVE JUROR 10:** No.
 [10] **THE COURT:** Now, you previously
 [11] checked off that you would be more likely to believe
 [12] the testimony of a police officer just because of
 [13] his or her job. Did you listen to my instruction
 [14] regarding evaluating police officers or folks in law
 [15] enforcement the same level of scrutiny as anyone
 [16] else who's not in law enforcement?
 [17] **PERSPECTIVE JUROR 10:** I did hear
 [18] that.
 [19] **THE COURT:** Okay. Can you follow
 [20] that instruction?
 [21] **PERSPECTIVE JUROR 10:** I'm going to
 [22] be honest with you. I do have a hard time, because
 [23] I always feel that police officers don't have
 [24] anything to lose. However, a person who's being
 [25] charged with the crime does. So I always feel like

[1] the person who's being questioned is more likely to
 [2] lie than a police officer.
 [3] **THE COURT:** All right. Thank you
 [4] very much. I'll excuse you for cause.
 [5] Eleven, please.
 [6] **THE COURT:** All right. Good
 [7] morning -- yeah. It's still morning. Good morning,
 [8] Juror Number 11. How are you?
 [9] **PERSPECTIVE JUROR 11:** Good.
 [10] **THE COURT:** All right. Juror Number
 [11] 11, were you born and raised in Philadelphia?
 [12] **PERSPECTIVE JUROR 11:** Yes.
 [13] **THE COURT:** Always resided in the
 [14] West Philadelphia Section?
 [15] **PERSPECTIVE JUROR 11:** No.
 [16] **THE COURT:** What other sections have
 [17] you lived in?
 [18] **PERSPECTIVE JUROR 11:** South Philly.
 [19] **THE COURT:** And without stating from
 [20] whom you work or where you work, you're a direct
 [21] care worker or caseworker -- I'm not quite sure what
 [22] I'm reading -- for what type of business?
 [23] Do you work for little ones or big?
 [24] **PERSPECTIVE JUROR 11:** Both. I have
 [25] two jobs.

[1] **THE COURT:** You have two jobs. Okay.
 [2] So do you provide one on one care with folks that
 [3] are physically disabled of some sort?
 [4] **PERSPECTIVE JUROR 11:** Yes and
 [5] special needs.
 [6] **THE COURT:** And special needs. Okay.
 [7] And how long have you been doing that?
 [8] **PERSPECTIVE JUROR 11:** Two for
 [9] special needs and one for disabled.
 [10] **THE COURT:** Okay. Now, you didn't
 [11] check off your level of education. Do you have any
 [12] education past high school?
 [13] **PERSPECTIVE JUROR 11:** Uh-huh.
 [14] **THE COURT:** Okay. What -- without
 [15] stating where you went to school, what is your level
 [16] of education?
 [17] **PERSPECTIVE JUROR 11:** Junior in
 [18] college.
 [19] **THE COURT:** Are you still in school?
 [20] **PERSPECTIVE JUROR 11:** Not right now.
 [21] I'm not enrolled.
 [22] **THE COURT:** Okay. All right. What
 [23] was your major of study?
 [24] **PERSPECTIVE JUROR 11:** Sign language
 [25] interpretation and behavioral mental health.

[1] **THE COURT:** Okay. You said someone
[2] close to you works in law enforcement. Who would
[3] that be relative to yourself and what type of job do
[4] you they do?
[5] **PERSPECTIVE JUROR 11:** My mom. She
[6] works at Overbrook High School.
[7] **THE COURT:** Okay. Does she --
[8] **PERSPECTIVE JUROR 11:** School police.
[9] **THE COURT:** -- oh, okay. School
[10] police.
[11] Is there anything about what your mom
[12] does for a living that would affect your ability to
[13] fair in this case?
[14] **PERSPECTIVE JUROR 11:** No.
[15] **THE COURT:** Commonwealth?
[16] **MS. VEDEJS:** No questions.
[17] **THE COURT:** Defense?
[18] **MR. LaTOUR:** I have no questions.
[19] Thank you.
[20] **THE COURT:** Please follow our court
[21] officer and wait for further instructions.
[22] **THE COURT OFFICER:** Come with me,
[23] please.
[24] **THE COURT:** Commonwealth?
[25] **MS. VEDEJS:** Strike.

[1] **THE COURT:** Commonwealth number four.
[2] Good morning, Juror.
[3] **PERSPECTIVE JUROR 12:** Good morning.
[4] **THE COURT:** Juror Number 12, were you
[5] born and raised in Philadelphia?
[6] **PERSPECTIVE JUROR 12:** Yes.
[7] **THE COURT:** And did you always reside
[8] in the Southwest Section of Philadelphia?
[9] **PERSPECTIVE JUROR 12:** Yes.
[10] **THE COURT:** Without stating for whom
[11] you work, you've been a medical assistant for what
[12] type of concern?
[13] **PERSPECTIVE JUROR 12:** (No response.)
[14] **THE COURT:** What kind of -- is it for
[15] a hospital or --
[16] **PERSPECTIVE JUROR 12:** Hospital.
[17] **THE COURT:** -- and how long have you
[18] been doing that?
[19] **PERSPECTIVE JUROR 12:** Twenty-five
[20] years.
[21] **THE COURT:** You said you had some
[22] college experience. Without stating where you went
[23] to school, what was your major or study?
[24] **PERSPECTIVE JUROR 12:** Nursing.
[25] **THE COURT:** You said you were a juror

[1] before. Did you serve on a criminal case or civil
[2] case?
[3] **PERSPECTIVE JUROR 12:** Criminal.
[4] **THE COURT:** Without stating what the
[5] verdict was, did the jury reach a verdict?
[6] **PERSPECTIVE JUROR 12:** Yes.
[7] **THE COURT:** Okay. Defense?
[8] **MR. LaTOUR:** I'm sorry. I didn't
[9] hear. The jury that you were on before was a
[10] criminal or civil jury?
[11] **PERSPECTIVE JUROR 12:** Criminal.
[12] **MR. LaTOUR:** And how long ago?
[13] **PERSPECTIVE JUROR 12:** Three years
[14] ago.
[15] **MR. LaTOUR:** And do you remember the
[16] charges?
[17] **PERSPECTIVE JUROR 12:** No.
[18] **MR. LaTOUR:** Fair enough. If you
[19] remember -- I mean, was it drugs or --
[20] **PERSPECTIVE JUROR 12:** It was drugs.
[21] **MR. LaTOUR:** Fair enough. Were you
[22] the foreperson?
[23] **PERSPECTIVE JUROR 12:** On the jury
[24] or...?
[25] **THE COURT:** Did the case, actually,

[1] go to a verdict?
[2] **PERSPECTIVE JUROR 12:** Did it what?
[3] **MR. LaTOUR:** I mean, you were
[4] selected to, actually, hear the evidence of the drug
[5] case, right?
[6] **PERSPECTIVE JUROR 12:** Yes, yes.
[7] **MR. LaTOUR:** And the jury was able to
[8] reach a unanimous verdict, right?
[9] **PERSPECTIVE JUROR 12:** Yes.
[10] **MR. LaTOUR:** Okay. Were you picked
[11] as the foreperson of that jury, the person who lead
[12] the deliberations and came out and announced the
[13] verdict?
[14] **PERSPECTIVE JUROR 12:** No.
[15] **MR. LaTOUR:** All right. That's all I
[16] have.
[17] **THE COURT:** Commonwealth?
[18] **MS. VEDEJS:** Ma'am, you may have
[19] answered this. You were born and raised in
[20] Philadelphia?
[21] **PERSPECTIVE JUROR 12:** Yes.
[22] **MS. VEDEJS:** Always been in Southwest
[23] Philadelphia?
[24] **PERSPECTIVE JUROR 12:** Yes.
[25] **MS. VEDEJS:** All right. And you

[1] don't know anyone that's either been a victim or
[2] eyewitness to a crime?
[3] **PERSPECTIVE JUROR 12:** No.
[4] **MS. VEDEJS:** Thank you, ma'am.
[5] **THE COURT:** Thank you, Juror. Please
[6] step outside and wait further instruction from our
[7] court officer.
[8] **THE COURT OFFICER:** Ma'am, please
[9] come with me.
[10] **THE COURT:** Defense?
[11] **MR. LaTOUR:** Acceptable.
[12] **THE COURT:** Commonwealth?
[13] **MS. VEDEJS:** Strike.
[14] **THE COURT:** Thirteen, please.
[15] Juror Number 13, good morning.
[16] **THE COURT:** Juror Number 13, were you
[17] born and raised in Philadelphia?
[18] **PERSPECTIVE JUROR 13:** I moved here
[19] when I was one. So raised.
[20] **THE COURT:** Okay. Have you always
[21] lived in the Fairmount Section?
[22] **PERSPECTIVE JUROR 13:** No. I grew up
[23] in West Philly.
[24] **THE COURT:** Okay. And how long have
[25] you been working as a --

[1] **PERSPECTIVE JUROR 13:** Mail handler.
[2] **THE COURT:** -- mail handler?
[3] **PERSPECTIVE JUROR 13:** About seven
[4] and a half years. It will be eight in April.
[5] **THE COURT:** All right. You said you
[6] have an associate's degree. Without saying where
[7] you went to school, what was your major of study?
[8] **PERSPECTIVE JUROR 13:** Accounting.
[9] **THE COURT:** You said you were a juror
[10] before. Did you serve on a criminal case or a
[11] civil?
[12] **PERSPECTIVE JUROR 13:** Civil.
[13] **THE COURT:** You said someone close to
[14] you was a victim of a crime. Who would that have
[15] been relative to yourself and what type of crime?
[16] **PERSPECTIVE JUROR 13:** Well, my house
[17] has been broken into many times growing up and cars
[18] have been vandalized.
[19] **THE COURT:** Okay. Is there anything
[20] about those experiences that would affect your
[21] ability to be fair in this case?
[22] **PERSPECTIVE JUROR 13:** No.
[23] **THE COURT:** Commonwealth?
[24] **MS. VEDEJS:** I have no questions.
[25] Thank you, ma'am.

[1] **THE COURT:** Defense?
[2] **MR. LaTOUR:** Good morning, ma'am.
[3] **PERSPECTIVE JUROR 13:** Good morning.
[4] **MR. LaTOUR:** It says here that before
[5] you worked at the Postal Service, you worked for the
[6] IRS?
[7] **PERSPECTIVE JUROR 13:** Yes.
[8] **MR. LaTOUR:** What were you doing at
[9] the IRS?
[10] **PERSPECTIVE JUROR 13:** Data entry.
[11] **MR. LaTOUR:** Is that up in the
[12] Northeast?
[13] **PERSPECTIVE JUROR 13:** Yes.
[14] **MR. LaTOUR:** Okay. How long did you
[15] work for the IRS?
[16] **PERSPECTIVE JUROR 13:** About five
[17] years.
[18] **MR. LaTOUR:** All right. That's all I
[19] have.
[20] **THE COURT:** Thank you, Juror. Please
[21] follow our court officer and wait for further
[22] instructions.
[23] **THE COURT OFFICER:** Come with me,
[24] please, ma'am.
[25] **THE COURT:** Commonwealth?

[1] **MS. VEDEJS:** Accept.
[2] **THE COURT:** Defense?
[3] **MR. LaTOUR:** Acceptable.
[4] **THE COURT:** Okay. Juror Number 12 is
[5] 13. We'll go to the alternates.
[6] Number 14, please.
[7] Still morning. Good morning, Juror
[8] Number 14. How are you?
[9] **PERSPECTIVE JUROR 14:** Good. And
[10] you?
[11] **THE COURT:** Good. Juror 14, were you
[12] born and raised in Philadelphia?
[13] **PERSPECTIVE JUROR 14:** I was not born
[14] but I was raised here.
[15] **THE COURT:** All right. And have you
[16] always resided in the Southwest or Northwest
[17] Sections of Philadelphia?
[18] **PERSPECTIVE JUROR 14:** When I lived
[19] here in the city, yes. But I lived other places.
[20] **THE COURT:** Okay. And you indicated
[21] that you're a bookkeeper. Do not tell me where you
[22] work, but for what type of business are you a
[23] bookkeeper?
[24] **PERSPECTIVE JUROR 14:** Housing
[25] cooperative.

[1] **THE COURT:** Okay. And how long have
[2] you been doing that?

[3] **PERSPECTIVE JUROR 14:** I've been
[4] doing bookkeeping for 30 years.

[5] **THE COURT:** All right. You checked
[6] off you have religious, moral, ethical beliefs that
[7] would prevent you from sitting in judgment in a
[8] criminal case. All right. Was that the death
[9] question? Was that due to the death penalty?

[10] **PERSPECTIVE JUROR 14:** No. It was
[11] due to forming opinions about people only to find
[12] myself in certain situations where I have to judge
[13] others.

[14] **THE COURT:** Okay. So you don't
[15] think -- you think that those beliefs would affect
[16] your ability to sit in judgment in a criminal case?

[17] **PERSPECTIVE JUROR 14:** I'm hoping
[18] not.

[19] **THE COURT:** Well, do you think it
[20] would or do you think it would not?

[21] **PERSPECTIVE JUROR 14:** It would not.

[22] **THE COURT:** Okay. Now, you said
[23] someone close to you was a victim of a crime. Who
[24] would that have been and what type of crime?

[25] **PERSPECTIVE JUROR 14:** I have a huge

[1] family. There has been all types of crime, from
[2] shootings to murder to child molestation to -- it's
[3] overwhelming.

[4] **THE COURT:** Okay. All right. Well,
[5] any of those person's experiences, would that affect
[6] your ability to be a fair and impartial juror in
[7] this case, bearing in mind that this case is -- the
[8] charges are an alleged shooting and the charges
[9] include attempted murder, aggravated assault, things
[10] of that nature?

[11] **PERSPECTIVE JUROR 14:** No, I don't
[12] think so.

[13] **THE COURT:** Okay. Now, when you said
[14] all of the turmoil, is that what you're talking
[15] about when you said also the folks that you know
[16] were arrested for crimes?

[17] **PERSPECTIVE JUROR 14:** Yes. I guess
[18] it's all inevitable.

[19] **THE COURT:** It's okay. It's all
[20] right. Not a problem.

[21] You said someone close to you works
[22] in law enforcement. Who would that be relative to
[23] yourself and what type of work do they do?

[24] **PERSPECTIVE JUROR 14:** My brother,
[25] correctional officer.

[1] **THE COURT:** Okay. Is there anything
[2] about what he does for a living that would affect
[3] your ability to be fair in this case?

[4] **PERSPECTIVE JUROR 14:** No.

[5] **THE COURT:** Defense?

[6] **MR. LaTOUR:** Good morning, ma'am.

[7] **PERSPECTIVE JUROR 14:** Good morning.

[8] **MR. LaTOUR:** I'm sorry. Did you
[9] indicate that you had a hardship? Did we ask about
[10] that?

[11] **THE COURT:** Oh, was that a hardship?
[12] Oh, I'm sorry. I missed that. Did you say you had
[13] a hardship?

[14] **PERSPECTIVE JUROR 14:** Yes. Well, I
[15] had planned to go on vacation Thursday and Friday.

[16] **THE COURT:** Oh, I'm sorry. My
[17] mistake. I'll excuse you. Enjoy your vacation.

[18] **PERSPECTIVE JUROR 14:** Follow me,
[19] please.

[20] **THE COURT:** Juror 15, good morning.
[21] How are you?

[22] **PERSPECTIVE JUROR 15:** I'm okay.

[23] **THE COURT:** Juror Number 15, were you
[24] born and raised in Philadelphia?

[25] **PERSPECTIVE JUROR 15:** No.

[1] **THE COURT:** Where were you born and
[2] raised?

[3] **PERSPECTIVE JUROR 15:** Born in Wayne,
[4] New Jersey; Raised in Paterson, New Jersey.

[5] **THE COURT:** Okay. How long have you
[6] lived within the Wynnefield Heights Section?

[7] **PERSPECTIVE JUROR 15:** Since I lived
[8] here, three years.

[9] **THE COURT:** And how long have you
[10] been working, without stating where you work, as an
[11] assistant principal?

[12] **PERSPECTIVE JUROR 15:** Three years.

[13] **THE COURT:** That goes hand in hand.
[14] Okay.

[15] What are the age of the children at
[16] the school that you're an assistant principal?

[17] **PERSPECTIVE JUROR 15:** The age?

[18] **THE COURT:** The age range.

[19] **PERSPECTIVE JUROR 15:** Five to
[20] eleven, twelve.

[21] **THE COURT:** You said you have a
[22] master's degree. What was your major of study,
[23] without stating where you went to school?

[24] **PERSPECTIVE JUROR 15:** Educational
[25] theater.

[1] **THE COURT:** Okay. All right. You
 [2] said someone close to you was a victim of a crime.
 [3] Who would that have been relative to yourself and
 [4] what type of crime?
 [5] **PERSPECTIVE JUROR 15:** A mugging.
 [6] **THE COURT:** About how long ago was
 [7] that?
 [8] **PERSPECTIVE JUROR 15:** Like 13, 14
 [9] years.
 [10] **THE COURT:** Is there anything about
 [11] that experience that would affect your ability to be
 [12] fair in this case?
 [13] **PERSPECTIVE JUROR 15:** I don't think
 [14] so.
 [15] **THE COURT:** Okay. When you say "I
 [16] don't think so," is that a turn of phrase or do you
 [17] have some doubt?
 [18] **PERSPECTIVE JUROR 15:** Oh, no.
 [19] Sorry.
 [20] **THE COURT:** No, that's okay. This is
 [21] a new experience. That's okay. See, people mean
 [22] different things when they say that.
 [23] All right. You said someone close to
 [24] you was arrested or charged with a crime, other than
 [25] a traffic violation. Who would that have been

[1] relative to yourself and what type of crime?
 [2] **PERSPECTIVE JUROR 15:** My half
 [3] brother. I think it was drug-related. I was really
 [4] young.
 [5] **THE COURT:** Okay. Is there anything
 [6] about his experience that would affect your ability
 [7] to be fair in this case?
 [8] **PERSPECTIVE JUROR 15:** No.
 [9] **THE COURT:** Okay. You said someone
 [10] else was an eyewitness to a crime. Was that the
 [11] prior event that you were talking about or something
 [12] different?
 [13] **PERSPECTIVE JUROR 15:** Something
 [14] different.
 [15] **THE COURT:** What was that?
 [16] **PERSPECTIVE JUROR 15:** My other half
 [17] brother is a police officer.
 [18] **THE COURT:** All right. Is there
 [19] anything about what he does for a living or what
 [20] he's witnessed in life affect your ability to be
 [21] fair in this case?
 [22] **PERSPECTIVE JUROR 15:** No.
 [23] **THE COURT:** Defense?
 [24] **MR. LaTOUR:** Good Morning --
 [25] afternoon, now. Sorry.

[1] The mugging, did you get mugged or
 [2] somebody you know got mugged?
 [3] **PERSPECTIVE JUROR 15:** Somebody I
 [4] know.
 [5] **MR. LaTOUR:** Did that happen in
 [6] Philadelphia or in New Jersey?
 [7] **PERSPECTIVE JUROR 15:** In New Jersey.
 [8] **MR. LaTOUR:** Okay. And that was 13,
 [9] 14 years ago?
 [10] **PERSPECTIVE JUROR 15:** Uh-huh.
 [11] **MR. LaTOUR:** Okay. And did it get
 [12] reported to the police?
 [13] **PERSPECTIVE JUROR 15:** No.
 [14] **MR. LaTOUR:** Okay. Thank you.
 [15] That's all I have.
 [16] **THE COURT:** Commonwealth?
 [17] **MS. VEDEJS:** No questions. Thank
 [18] you, ma'am.
 [19] **THE COURT:** Thank you, Juror. Please
 [20] follow our court officer and wait for further
 [21] instructions. We'll be right with you.
 [22] **THE COURT OFFICER:** Come with me,
 [23] please.
 [24] **THE COURT:** Defense?
 [25] **MR. LaTOUR:** Acceptable.

[1] **THE COURT:** Commonwealth?
 [2] **MS. VEDEJS:** Accept.
 [3] **THE COURT:** Okay. Juror Number 13 is
 [4] now Juror 15.
 [5] Sixteen, please.
 [6] **THE COURT:** All right. Good
 [7] afternoon, Juror.
 [8] **PERSPECTIVE JUROR 16:** Good
 [9] afternoon.
 [10] **THE COURT:** Juror Number 16, were you
 [11] born and raised in Philadelphia?
 [12] **PERSPECTIVE JUROR 16:** No, I was not.
 [13] I was born in Euclid, Ohio.
 [14] **THE COURT:** Sir, how long have you
 [15] resided in Philadelphia?
 [16] **PERSPECTIVE JUROR 16:** This will be
 [17] my sixth year.
 [18] **THE COURT:** Always in the Roxborough
 [19] or Northwest Section?
 [20] **PERSPECTIVE JUROR 16:** No. I,
 [21] originally, used to live right here in Center City.
 [22] I recently moved to Roxborough last year.
 [23] **THE COURT:** Okay. And sir, without
 [24] stating where you work, you're a behavior...
 [25] **PERSPECTIVE JUROR 16:** I'm a behavior

[1] teacher specialist. I work in a therapeutic day
[2] school.
[3] **THE COURT:** Okay. And you said that
[4] you have a bachelor's degree. Without stating where
[5] you went to school, what was your major of study?
[6] **PERSPECTIVE JUROR 16:** My degree is
[7] in exercise science with concentration of physical
[8] education.
[9] **THE COURT:** Okay. You said someone
[10] close to you works in law enforcement. Who would
[11] that be relative to yourself?
[12] **PERSPECTIVE JUROR 16:** I have a good
[13] friend, his father is a criminal defense attorney
[14] back in Ohio and also -- well, his son is now -- he
[15] originally was a probation officer, and now he's
[16] finishing up law school to join his father's firm.
[17] **THE COURT:** Okay. Is there anything
[18] about what they do for a living that would affect
[19] your ability to be fair in this case?
[20] **PERSPECTIVE JUROR 16:** I don't think
[21] so.
[22] **THE COURT:** Commonwealth?
[23] **MS. VEDEJS:** I have no questions.
[24] Thank you, sir.
[25] **THE COURT:** Defense?

[1] **MR. LaTOUR:** Good afternoon, sir.
[2] **PERSPECTIVE JUROR 16:** Afternoon.
[3] **MR. LaTOUR:** Without getting too much
[4] into it, you teach at a school dealing with children
[5] who have behavioral problems? Is that fair to say?
[6] **PERSPECTIVE JUROR 16:** Yes.
[7] **MR. LaTOUR:** Are these children that
[8] have been thrown out of other schools? Or are they
[9] sent there by their own families because they need
[10] help?
[11] **PERSPECTIVE JUROR 16:** Most of time
[12] it is, actually, through placement. A lot of our
[13] students come from the Philadelphia School District.
[14] I work for -- it's a private company. And then we
[15] get students contracted in -- most of the time
[16] through the School District of Philadelphia. Some
[17] are through other schools that they have gone to.
[18] **MR. LaTOUR:** So I'm assuming that a
[19] number of children that you deal with on a daily
[20] basis are children that have been involved in the
[21] criminal justice system at some point?
[22] **PERSPECTIVE JUROR 16:** There are a
[23] portion that are involved with the criminal justice.
[24] There are a few that have had to, you know, take
[25] time off from school to deal with cases, yes.

[1] **MR. LaTOUR:** As part of your job
[2] as a behavioral teacher, then, with these students,
[3] have you ever talked to them about their experiences
[4] or what's going on with their criminal cases if they
[5] have one?
[6] **PERSPECTIVE JUROR 16:** Most of the
[7] time, usually, they say, you know, it's one of those
[8] things that they prefer not to bring up. Sometimes
[9] they do have to talk with -- we do have licensed
[10] social workers at the school. Usually, if there's
[11] anything in greater detail, it's usually talked
[12] about with the social workers or with the principal
[13] or the director of the school.
[14] **MR. LaTOUR:** Okay. And because your
[15] job brings you into contact with these kids with
[16] these types of background, do you think that, in any
[17] way, that would cause you to be unfair, to either
[18] side, if you were selected to sit on this jury?
[19] **PERSPECTIVE JUROR 16:** I don't think
[20] so. I think that no matter what they -- you just
[21] have to look at them as they're students and they're
[22] here for education. I don't look at whatever they
[23] did out of school. It's not my job to look down
[24] upon them.
[25] **MR. LaTOUR:** So anything that goes on

[1] at work, you wouldn't let that affect anything that
[2] would happen here in this courtroom? Is that what
[3] you're saying?
[4] **PERSPECTIVE JUROR 16:** No. Work is
[5] work. And outside of work is outside of work.
[6] **MR. LaTOUR:** Thank you, sir. That's
[7] all.
[8] **THE COURT:** Commonwealth?
[9] **MS. VEDEJS:** I went first.
[10] **THE COURT:** Oh, you did already.
[11] Thank you, sir. Please follow our
[12] court officer and wait for further instructions.
[13] **THE COURT:** Commonwealth?
[14] **MS. VEDEJS:** Accept.
[15] **THE COURT:** Defense?
[16] **MR. LaTOUR:** Accept.
[17] **THE COURT:** All right. Juror Number
[18] 14 is Juror Number 16. Please bring out the rest of
[19] the panel and I'll dismiss them and thank them.
[20] All right. Folks, I want to thank
[21] you very much. You escaped me. Okay. We did pick
[22] our -- select our entire panel. And with my thanks,
[23] I think he's going to send you right downstairs,
[24] okay, to see where you go for the rest of the day,
[25] but I thank you kindly. Have a good day. Bye bye.

[1] Okay. All right. So this matter is
[2] on break until 1:30.
[3] Thank you, Sheriff.
[4] (At this time, other matters were held in
[5] front of the Court.)
[6] **THE COURT:** Okay. Lunch until 130.
[7] (Whereupon there was a lunch recess.)
[8] **THE COURT:** All right. Back on the
[9] record with respect to Mr. Senestant.
[10] All right. Mr. LaTour, I researched
[11] the matter as to your objection stated today, not
[12] yesterday, as to the two of those jurors regarding
[13] sitting or not sitting.
[14] Very simply, sir, if you still have
[15] an objection to the panel that you've picked and you
[16] wish to strike the whole panel, we will do so. And
[17] the end result of that decision is that we will
[18] start tomorrow.
[19] There will be no A's and B's. We are
[20] going to take our time. I'm anticipating that it
[21] will take two weeks. So what is your pleasure?
[22] **MR. LaTOUR:** That's fine with me,
[23] Judge. My only request is to renew my objection.
[24] The only proper remedy would be to dismiss the
[25] entire panel.

[1] **THE COURT:** Well, I disagree with
[2] you, but in abundance of caution, I will do so.
[3] Because number one, you didn't raise
[4] an objection yesterday.
[5] Number two, the answer to that
[6] question that someone is less-likely to believe a
[7] police officer just because they work in law
[8] enforcement defies any logic and would automatically
[9] cause one to be less likely to be a fair juror.
[10] So you didn't object to having an A
[11] list and B list and things of that nature. The
[12] purpose of the B list is to narrow down to the most
[13] likely available jurors who would be fair and
[14] impartial.
[15] So while I disagree with you, I'm not
[16] going to give your client any ounce of opportunity
[17] to have any unnecessary matters on appeal. So that
[18] being said, Ms. Callie, could you tell the jury that
[19] they are dismissed when they come back. Dismiss
[20] them and then that way they can get paid.
[21] **MR. LaTOUR:** May I respond briefly?
[22] **THE COURT:** One second.
[23] And we'll need to order a panel for
[24] tomorrow.
[25] **MS. VEDEJS:** Also, may I respond in

[1] regards to tomorrow with the two-week situation, if
[2] possible?
[3] **THE COURT:** Okay. Go ahead, but it's
[4] going.
[5] **MS. VEDEJS:** No, it's -- I just have
[6] a seven-transcript double shooting listed Monday
[7] that's been continued once before with two
[8] attorneys.
[9] **THE COURT:** Okay. Well, if you can
[10] get somebody else to come in and take this case
[11] tomorrow, that's fine, but this case is going.
[12] **MR. LaTOUR:** Judge, with regard to
[13] your first point, the reason why it wasn't raised
[14] yesterday is, we were not given the B sheets
[15] yesterday. We were missing sheets. We requested
[16] the missing sheets. We were given some of the
[17] missing sheets, but we never received the missing B
[18] sheets. That's why I didn't notice.
[19] **THE COURT:** We're missing a few of
[20] the B sheets from yesterday --
[21] **MR. LaTOUR:** All of the B sheets.
[22] **THE COURT:** -- did you ever get any
[23] of the B sheets?
[24] **MR. LaTOUR:** I never got any of the B
[25] sheets.

[1] **THE COURT:** All right.
[2] **MR. LaTOUR:** Which is why I didn't
[3] notice until today that Your Honor's practice was to
[4] exclude people who had answered yes to Question
[5] Number 9.
[6] **THE COURT:** They may have answered
[7] other questions. I really don't know who was on our
[8] list yesterday.
[9] **MR. LaTOUR:** Well, I can state for a
[10] fact that, Judge, Jurors Number 5 and Number 7 on
[11] today's panel -- the only question they answered yes
[12] to was Question Number 9.
[13] **THE COURT:** Okay. You don't have to
[14] repeat yourself. All right? Your motion is
[15] granted.
[16] **MR. LaTOUR:** Judge, I'm just making a
[17] clear record.
[18] And then the other point is that I
[19] would fundamentally disagree with you that's there's
[20] any difference between a person answering yes to
[21] Question 8 or Questions 9. The idea that somebody
[22] answers yes --
[23] **THE COURT:** No, no, no. The ability
[24] to rehabilitate -- a lot of folks -- you know as
[25] well as I do. You've been doing this a long time.

[1] Okay.

[2] **MR. LaTOUR:** Yes, Your Honor.

[3] **THE COURT:** Okay. We're not new at
[4] this.

[5] **MR. LaTOUR:** Yes.

[6] **THE COURT:** A lot of people come into
[7] this Court and say that, you know, think that
[8] they're answering that they respect law enforcement.
[9] But for a person to say that they will disbelieve
[10] someone whose job is to work in law enforcement up
[11] from the getgo is far less likely to be
[12] rehabilitated.

[13] **MR. LaTOUR:** But Judge, my point is,
[14] you don't even give those people that chance because
[15] what you're doing is fundamentally unfair and then
[16] dismiss them.

[17] **THE COURT:** No, no. You agreed to do
[18] A's and B's.

[19] **MR. LaTOUR:** And then we dismissed
[20] the B's --

[21] **THE COURT:** B's -- the major of B's --
[22] are so these folks are less likely -- so we can
[23] concentrate on folks who are more likely to get a
[24] jury. That's a process that you agreed to do. And
[25] that's the process --

[1] **MR. LaTOUR:** -- yes, Judge, because I

[2] was under the impression as well as the Commonwealth
[3] that the B list was consisted of people answering
[4] questions 10 through 16.

[5] **THE COURT:** Why are you arguing a
[6] motion that you've just been granted?

[7] **MR. LaTOUR:** Because I want to make
[8] sure the record is clear, Judge, and I --

[9] **THE COURT:** Yeah, well, the record is
[10] clear.

[11] **MR. LaTOUR:** -- and I'm still
[12] going --

[13] **THE COURT:** We're done.

[14] **MR. LaTOUR:** Very well, Judge.

[15] **THE COURT:** See you tomorrow.

[16] **MR. LaTOUR:** What time would you like
[17] me here?

[18] **THE COURT:** 9:00 a.m.

[19] **MR. LaTOUR:** I will be here at 9:00
[20] a.m., Judge. Have a nice day.

[21] **THE COURT:** You too.

[22]

[23]

[24]

[25]

[1] - - -
[2] **CERTIFICATION**
[3] - - -

[4]
[5] I hereby certify that the proceedings and
[6] evidence are contained fully and accurately in the
[7] notes taken by me on the trial of the above cause,
[8] and that this copy is a correct transcript of the
[9] same.

[10]

[11]

[12]

[13]

[14]

[15]

[16] **THERESA VALENTINO**

[17] Professional Court Reporter

[18]

[19]

[20]

[21]

[22] (The foregoing certification of this
[23] transcript does not apply to any reproduction of the
[24] same by any means unless under the direct control
[25] and/or supervision of the certifying reporter.)



First Judicial District of Pennsylvania

51CR00159242013

Joel Senestant

*Voir Dire Volume 1
January 22, 2015*



*First Judicial District of Pennsylvania
100 South Broad Street, Second Floor
Philadelphia, PA 19110
(215) 683-8000 FAX:(215) 683-8005*

Original File 01222015Senestantjs.txt, 143 Pages
CRS Catalog ID: 15110303

[1] IN THE COURT OF COMMON PLEAS
 [2] FIRST JUDICIAL DISTRICT OF PENNSYLVANIA
 [3] CRIMINAL TRIAL DIVISION
 [4] ---
 [5] COMMONWEALTH : CP-51-CR-0015924-2013
 [6] vs. : CP-51-CR-0015925-2013
 [7] JOEL SENESTANT :
 [8] ---
 [9] Courtroom 1002, Criminal Justice Center
 [10] Philadelphia, Pennsylvania
 [11] ---
 [12] Thursday, January 22, 2015
 [13] ---
 [14] Jury Selection
 [15] ---
 [16] B E F O R E: THE HONORABLE ANNE MARIE COYLE
 [17] ---
 [18] APPEARANCES:
 [19] MORGAN VEDEJS, ESQUIRE
 [20] Assistant District Attorney
 [21] Counsel for the Commonwealth
 [22] PIERRE LaTOUR, ESQUIRE
 [23] Counsel for the Defendant
 [24]
 [25]

[1] INDEX
 [2] ---
 [3] COMMONWEALTH'S EVIDENCE
 [4] ---
 [5] WITNESS: DR CR RDR RCR
 [6] (No evidence was entered.)
 [7] ---
 [8] EXHIBITS
 [9] ---
 [10] NO. DESCRIPTION IDENT IN EVD
 [11] (No evidence was entered.)
 [12] ---
 [13] DEFENDANT'S EVIDENCE
 [14] ---
 [15] WITNESS: DR CR RDR RCR
 [16] (No evidence was entered.)
 [17] ---
 [18] EXHIBITS
 [19] ---
 [20] NO. DESCRIPTION IDENT IN EVD
 [21] (No evidence was entered.)
 [22] ---
 [23]
 [24]
 [25]

[1] **THE COURT:** Sir, please raise your
 [2] right hand.
 [3] ---
 [4] JOEL SENESTANT, having been first
 [5] duly sworn, was examined and testified as follows:
 [6] ---
 [7] **THE COURT:** Counsel, go ahead.
 [8] **MR. LaTOUR:** Thank you, Your Honor.
 [9] Good morning. Pierre LaTour on behalf of Joel
 [10] Senestant. After discussing with my client the
 [11] events of yesterday and the dismissal of the prior
 [12] panel, it is my client's request that on the record
 [13] that Your Honor recuse yourself from this matter.
 [14] **THE COURT:** And the basis of that
 [15] request for recusal? I granted your motion to --
 [16] **MR. LaTOUR:** Yes, Your Honor.
 [17] **THE COURT:** -- out of abundance of
 [18] caution with respect to your objection to the jury
 [19] selection process. It is your -- so with my
 [20] granting your request, what is the basis for
 [21] recusal?
 [22] **MR. LaTOUR:** Judge, the basis would
 [23] be this, is that my client is concerned -- and I
 [24] share his concern -- but in an abundance of caution
 [25] and protecting any appellate rights my client may

[1] have, even the appearance of impropriety in the
 [2] process of selecting a jury has to be preserved, and
 [3] therefore, that's why I'm requesting, on the record,
 [4] that you recuse yourself from the matter.
 [5] **THE COURT:** What appearance of
 [6] impropriety was presented that --
 [7] **MR. LaTOUR:** The discussion that we
 [8] had yesterday about the selection of the original
 [9] jury panel.
 [10] **THE COURT:** Okay. Request denied.
 [11] **MR. LaTOUR:** Thank you, Your Honor.
 [12] **THE COURT:** Mr. Senestant, the way
 [13] that we're going to do this process today -- I have
 [14] already, per your client's -- your attorney's
 [15] request, granted the request to strike the jury that
 [16] was impaneled the last two days. So we're starting
 [17] over. Okay. All right. We're -- there's not going
 [18] to be any division of groups based upon their
 [19] answers to the questionnaire.
 [20] So we're going to go through each one
 [21] individually. All right. I'm going to conduct the
 [22] entire colloquy. And we're going to keep moving so
 [23] that we can get this matter done appropriately.
 [24] I did not agree with the objection to
 [25] the matter in which it was divided, but in abundance

[1] of caution, I granted your request.
 [2] So I don't hear any legitimate basis
 [3] for a request for recusal. So we're going to go
 [4] ahead. This is how we're going to proceed: We're
 [5] not going to divide anybody, except 21 through 40.
 [6] They will be permitted to go to lunch while we go
 [7] through the selection process of 1 through 20, so
 [8] that we're not inconveniencing people to any great
 [9] degree. And I'll move as quickly as I can.
 [10] If there's something in addition to
 [11] my questions of the jury -- or perspective juror
 [12] that folks feel should be answered, just present
 [13] that to me and I'll present it to the perspective
 [14] juror, and we'll take each person as it comes --
 [15] absent the general questions that we do normally.
 [16] All right?
 [17] **MR. LaTOUR:** Okay.
 [18] **THE COURT:** All right. Very good.
 [19] Was there any discussion by and
 [20] between counsel and the defendant -- I think we
 [21] touched upon some discussion, in terms of offers.
 [22] Has there been any change of offers?
 [23] **MS. VEDEJS:** I don't believe so.
 [24] **THE COURT:** No. Okay.
 [25] **THE COURT OFFICER:** May I, Your

[1] Honor?
 [2] **THE COURT:** You may.
 [3] Good morning, everyone.
 [4] (Prospective juror responds.)
 [5] **THE COURT:** Ms. Callie?
 [6] **THE COURT OFFICER:** Ladies and
 [7] gentlemen, please rise and raise your right hand.
 [8] (Prospective jury has been sworn.)
 [9] **THE COURT:** Okay. Folks, how are
 [10] you?
 [11] (Prospective jury responds.)
 [12] **THE COURT:** Ladies and gentlemen, my
 [13] name is Anne Marie Coyle. I'll be the judge serving
 [14] this case with you. This is the matter of
 [15] Commonwealth of Pennsylvania versus Joel Senestant.
 [16] This is a criminal trial. This process is the
 [17] process by which we go through to make sure that we
 [18] pick a fair and impartial jury that is, obviously,
 [19] important to both parties in this matter.
 [20] First of all, thank you. I know that
 [21] every single person sitting -- that came in today
 [22] sacrificed something to be here. Whether it was
 [23] time away from work, loss of income, daycare
 [24] responsibilities, things of that nature. It is
 [25] appreciated by this Court and I'm sure by both

[1] parties. But it is something that, quite frankly,
 [2] we're privileged to be able to do because we live in
 [3] this country. So with that, thanks, we're going to
 [4] proceed.
 [5] Now, serving on a jury is one of the
 [6] most fundamental Constitutional powers that remains
 [7] in the hands of people in this United States. But
 [8] with that power, folks, comes great responsibility
 [9] that you, as jurors, and myself, as a judge, share
 [10] together. And the reason we do that is to ensure
 [11] that a fair and impartial trial by jury is selected.
 [12] In a couple minutes I'm going to be
 [13] asking some questions if anybody has any beliefs or
 [14] experiences that would interfere with your ability
 [15] to be that fair and impartial juror that we're
 [16] looking for.
 [17] I'll also ask you if you have any
 [18] "extraordinary" hardship that would prevent you from
 [19] serving. I realize jury service disrupts your
 [20] lives, but this is what we are called upon to do.
 [21] I expect this trial, folks, to last
 [22] into next week. How far into next week? I'm not
 [23] sure. Okay. But you can use that as a parameter.
 [24] This type of case is one that would
 [25] permit jurors to go home every day. You're not

[1] going to be asked to stay over night. All right.
 [2] So bear that in mind when I ask you some questions.
 [3] Now, did everybody see the video this
 [4] morning?
 [5] (Perspective jury responds.)
 [6] **THE COURT:** Okay. I'm going to touch
 [7] upon a couple of the matters that were mentioned in
 [8] the video. And I'd ask you to listen carefully
 [9] because they do explain some of the rights and
 [10] responsibilities that we have here in criminal
 [11] trials, which are different than civil trials.
 [12] Okay.
 [13] First of all, under the law, in a
 [14] criminal trial, every defendant is presumed to be
 [15] innocent at all times.
 [16] This presumption of innocence remains
 [17] until such time as the Commonwealth proves the
 [18] defendant guilty beyond a reasonable doubt.
 [19] The fact that a person is arrested,
 [20] charged, and brought here for trial is not evidence
 [21] of guilt.
 [22] The Commonwealth has the burden of
 [23] proving that the defendant is guilty of the offenses
 [24] charged against him beyond a reasonable doubt.
 [25] The defendant doesn't have to do a