

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN

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DEMETRIUS COOPER,

Plaintiff,

v.

VOIR DIRE  
[DRAFT 4.13.2018]

JEFFREY MEYER, PATRICK GORMAN, and  
CORY SABISH,

16-cv-526-jdp

Defendants.

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*Statement of the case*

Welcome to all of you, who are prospective jurors in this civil case. The plaintiff is Demetrius Cooper, who is a prisoner at the Waupun Correctional Institution (WCI). The defendants are Jeffrey Meyer, Patrick Gorman, and Cory Sabish, who are correctional officers at WCI. On February 4, 2016, Meyer and Gorman handcuffed Cooper to a cell door when Cooper said he might harm himself if left alone in his cell. Cooper says that Meyer and Gorman responded inappropriately to Cooper's mental health needs, that Meyer used excessive force when handcuffing him, and that Gorman and Sabish saw Meyer use excessive force but failed to intervene. Cooper also says that Gorman later retaliated against him by placing a razor blade in his food.

I am going to ask you some questions that will help us select those of you who will serve on the jury in this case. I will follow up with some individual questions to get more details. If my questions touch on subjects that you don't want to discuss openly, let me know, and we'll bring you over to sidebar to discuss those questions

confidentially. I will speak at first to those of you in the jury box. But those of you in the gallery portion of the courtroom should pay attention to the questions. In case I have to call you forward to replace someone that I excuse, you should have your answers ready to go.

1. Have any of you heard of this case before today? Follow up at sidebar.

2. The trial of this case will begin Wednesday and may last the rest of the week, finishing on Friday. The trial will run from 9 a.m. to 5:30 p.m. with a morning break, one hour lunch, and an afternoon break. Are any of you actually unable to sit as jurors because of this schedule?

3. Ask counsel to stand and tell the jury where they practice and with whom.

Ask panel whether anyone knows counsel or their associates or partners.

4. Ask counsel to introduce the parties. Ask panel whether anyone knows any of the parties.

5. The witnesses in the case may include the following individuals. (Read list of witnesses.) Do any of you know any of the witnesses?

6. Do any of you know the judge or court personnel?

7. Do any of you know any of the other persons on the jury panel?

8. Please stand up and tell us about yourself:

- Name, age, and city or town of residence.
- Marital/partnership status and number of children, if any.
- Current occupation (former if retired).

- Current (or former) occupation of your spouse or partner and any adult children.
- Any military service, including branch, rank, and approximate date of discharge.
- Level of education, and major areas of study, if any.
- Memberships in any groups or organizations.
- Hobbies and leisure-time activities.
- Media consumption. What are your favorite types of reading materials, what sources do you use for news, what types of television or radio shows do you watch or listen to, what types of websites do you visit?
- Whether you have ever written a letter to the editor in a newspaper or magazine.
- Whether you have any bumper stickers on your vehicle and what they say.

9. Have any of you, your relatives, or close friends ever been a party to a lawsuit?

10. Have any of you, your relatives, or close friends ever been a witness in a lawsuit?

11. Have any of you served on a jury? Please tell us in which court you served, approximately when, the type of cases you heard, whether you were foreperson, and the verdict.

12. The plaintiff is an inmate. Does anyone have a strong opinion about inmates that might make it difficult for you to be objective in this case?

13. Does anyone believe that prisoners do not, or should not, have any Constitutional rights?

14. Does anyone believe that prisoners should not be allowed to file lawsuits?

15. Have any of you, your relatives, or close friends ever been confined in jail or prison?

16. Have any of you ever visited a jail or a prison?

17. Have any of you, your relatives, or close friends ever been pat searched or strip searched by a law enforcement officer or correctional officer?

18. Have any of you read any online or print news stories regarding the Wisconsin Department of Corrections in the last two years? Have you formed any opinions about Wisconsin DOC personnel as a result of the articles?

19. Have any of you, your relatives, or close friends ever worked for the DOC or in any other correctional setting?

20. Have you formed any opinions about the correctional system or the appropriateness of confining people in jail or prison?

21. Have any of you, your relatives, or close friends ever worked in law enforcement or corrections?

22. Have any of you, your relatives, or close friends ever had a negative experience with a state employee, a law enforcement officer, or a correctional officer?

23. The defendant in this case is represented by the State of Wisconsin Department of Justice. Is there anyone who has negative feelings about that agency or the Attorney General, Brad Schimel?

24. I will instruct you on the law to be applied in this case. You are required to accept and follow my instructions, even though you may disagree with the law. Is there any one of you who would be unable or unwilling to follow my instructions?

25. Do you know of any reason whatever, either suggested by these questions or otherwise, why you could not sit as a trial juror with absolute impartiality to all the parties in this case?

## JUROR BACKGROUND INFORMATION

When asked to do so, please stand and answer these questions:

1. Name, age, and city or town of residence.
2. Marital/partnership status and number of children, if any.
3. Current occupation (former if retired).
4. Current (or former) occupation of your spouse or partner and any adult children.
5. Any military service, including branch, rank, and approximate date of discharge.
6. Level of education, and major areas of study, if any.
7. Memberships in any groups or organizations.
8. Hobbies and leisure-time activities.
9. Media consumption. What are your favorite types of reading materials, what sources do you use for news, what types of television or radio shows do you watch or listen to, what types of websites do you visit?
10. Whether you have ever written a letter to the editor in a newspaper or magazine.
11. Whether you have any bumper stickers on your vehicle and what they say.