

STATE OF MARYLAND

Plaintiff

v.

CAESAR GOODSON

Defendant

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IN THE
CIRCUIT COURT
FOR
BALTIMORE CITY
Case No. 115141032


2015 DEC 15 P 2:22
CRIMINAL DIVISION

MOTION TO SEAL DEFENDANT'S PROPOSED VOIR DIRE

Defendant Caesar Goodson, through his counsel, requests that this Court order that the Defendant's Proposed Voir Dire, as well as the present Motion, be filed under seal. In support thereof, Defendant states the following:

1. This Court requested that any proposed voir dire be brought to the Court's attention via sealed filings.
2. On December 15, 2015, Officer Goodson filed his Proposed Voir Dire and the present Motion to Seal.

WHEREFORE, Officer Goodson requests that this Court order that the Defendant's Proposed Voir Dire, as well as the present Motion, be filed under seal.


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Counsel for Officer Caesar Goodson

STATE OF MARYLAND

Plaintiff

v.

CAESAR GOODSON

Defendant

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IN THE

CIRCUIT COURT

FOR

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Case No. 115141032

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PROPOSED VOIR DIRE QUESTIONS

1. Is any member of the panel under the age of eighteen?
2. Is there any member of the panel who is not a resident of the City of Baltimore or a citizen of the United States of America?
3. The defendant in this proceeding has been charged with second degree murder, involuntary manslaughter, assault, and other related crimes. The State alleges this occurred on or about April 12, 2015 here in the City of Baltimore and that the name of the victim was Freddie Gray. Now based solely on what I have said so far is there any member of the panel who has NOT heard about this case, read about this case or aware of the incident either personally, through word of mouth or the media?
4. Is there any member of the panel who was NOT aware of the curfew imposed on Baltimore City following the unrest concerning the death of Freddie Gray?
5. Is there any member of the panel who was NOT aware of the fact that the city reached a civil settlement with the family of Freddie Gray after his death?
6. Will the defendant please stand and face the jury. Does anyone know Caesar Goodson, or has any member of the jury pool maintained a business or social relationship either in the past or the present with Caesar Goodson?
7. Caesar Goodson is represented by Matthew Fraling, Andrew Jay Graham, and Amy Askew. The State is represented by Michael Schatzow, Janice Bledsoe, Matthew Pillion, and John Butler.
8. There are various individuals who may be called as witnesses or whose names may be mentioned during the course of testimony. They are:
 - a. Police Officers/Detectives BPD: Appendix 1

b. Civilians: Appendix 2

9. Does any member of the jury panel have any knowledge of the individuals whose names I have just mentioned?

10. Would any member of the jury panel be inclined to give either more or less weight to the testimony of a police officer simply because they are a police officer?

11. Would any member of the jury panel be inclined to give either more or less weight to the testimony of a defense witness simply because they are a defense witness?

12. I will now ask you some questions relating not only to you but also to members of your immediate family. By this I mean spouse, significant other, parents, children, brothers or sisters or anyone residing with you. It does not mean aunts, uncles, nieces, nephews, cousins or in-laws unless they live with you.

13. Has any member of this jury panel or family member ever been employed by any law enforcement agency which includes, the United States Attorney; the United States Department of Justice; the Attorney General of Maryland; the State's Attorney of any jurisdiction; the Special State Prosecutor of Maryland; the Baltimore City Police; the Maryland State Police; the FBI; the DEA; the IRS; or any correctional facility including but not limited to; the Maryland Department of Corrections; the Baltimore City Detention Center; the Central Booking Facility.

14. This question is in four parts. If you have a response to any of these questions please wait until I have read all four parts. Once I have finished, then and only then will I ask you to stand up.

- a. Has any member of the panel or immediate family member as I have defined, ever been the victim of a crime?
- b. Has any member of the panel or immediate family member as I have defined, ever been investigated by law enforcement or charged with, arrested for or convicted of a crime?
- c. Has any member of the panel or has any immediate family member as I have defined, ever been incarcerated?
- d. Does any member of the panel or immediate family member as I have defined have any pending criminal charges?

If you have a response to any of these questions, please stand.

15. Does any member of the panel have strong feelings about murder, manslaughter, assault, or police misconduct in office?

16. Is there any member of the jury panel who believes that merely because a person is charged with a crime that the charge itself raises any presumption of guilt on the part of the individual so charged?

17. Does any member of the jury panel hold any strong feelings related to race, sex, color, religion, national origin or other personal attributes of the Defendant, witnesses, or personally?

18. Does any member of the jury panel have any medical issues, which would make them unable to serve in this case?

19. Ladies and gentlemen. This case will start in the next few days and conclude no later than _____. We do not sit on weekends. I do believe that jury service is an important part of being a member of our society. If you want to vote or drive, at some point you will be called for jury duty. Jury duty is an honor, and our right to a trial by jury is an essential element of our legal system. If you are selected to sit on this case, you are required by law to continue on jury duty until the case is completed. Now, I have very limited authority to excuse you from service and candidly speaking I rarely exercise it. And that's because I believe it is important to have members from all across our city on my juries. Just last month one of my colleagues was picked as a juror in one of my cases. Now if you believe that you cannot serve, not that you don't want to serve, but cannot serve, I will take it into consideration. Before you even stand, let me tell you what I consider to be some of the reasons that would allow you to say that you can't. Medical proof that you cannot sit for more than 1 ½ hours. Proof that you are going on a preplanned trip. Please keep in mind ladies and gentlemen, that in order for our society to flourish, we all have to make some sacrifices. So, based on all that I've said, if you believe that you cannot serve for the next 2 weeks please stand up.

20. (follow up questions)

21. Do you have any children?

22. Are you married?

23. What is your level of education?

24. What is your current employment status?

25. What is your zip code?

26. If you have knowledge of the case from any source, would that affect your ability to listen to the evidence presented and make a decision solely on what is presented here in court?

27. Were you involved in any of the protests or incidents surrounding the arrest and death of Freddie Gray?

28. Have you attended any meetings, benefits or demonstrations supporting any of the police officers charged in the Freddie Gray case?

29. Have you attended any meetings, benefits or demonstrations supporting Freddie Gray or his family?

30. Have you communicated about the Freddie Gray case, the community reaction to it, or the charges against the police officers in any media source whatsoever?

31. Have you contacted the State's Attorney's Office, the lawyers here or any of the lawyers for the other officers charged in the Freddie Gray case?

32. Were you personally impacted by any of the unrest connected to the death of Freddie Gray?

33. Were you aware that the City reached a civil settlement with the family of Freddie Gray?

34. If so, would the fact that there was a settlement affect your ability to listen to the evidence and make a decision in this criminal case?

35. Do you understand that the civil settlement is a civil monetary judgement and is not connected to the outcome of this criminal case?

36. Have you formed any impressions or opinions that would influence your ability to be fair to both sides in this case? If yes, please explain.

37. If you have formed impressions or opinions about this case, can you set them aside and decide the case solely on the evidence presented in court?

38. Based on what you have heard about this case, have you formed an opinion as to whether the defendant is guilty or not guilty? If so, can you put that opinion aside and make a decision based on the evidence presented here in court?

39. If you are selected as a juror do you feel that you are required to find the defendant guilty?

40. If you are selected as a juror do you feel that you are required to find the defendant not guilty?

41. Do you have any concerns about the reaction from people if you reach a verdict in this case?
42. Do you have any concerns about the impact on the city from your verdict?
43. Is there anything you would like to bring to the Court's attention that might affect your ability to be a fair and impartial juror in this case?

EDUCATION & MILITARY

44. Did you attend high school in Baltimore City? If yes, did you graduate and if so, when did you graduate?
45. Have you received training in law enforcement, the law, or the court system?
46. Have you ever considered working in law enforcement? If yes, explain
47. Have you ever served in the military?
48. Do you have any training or experience in the medical field? If yes, explain

POLITICAL, RELIGIOUS AND OTHER AFFILIATIONS

49. Have you or any members of your family or close friends ever contributed money to the political campaign for State's Attorney Marilyn Mosby?
50. Have you or any members of your family or close friends ever contributed money to the city council and/or mayoral political campaign for Nick Mosby?

CASE SPECIFIC QUESTIONS

51. Has anyone spoken to you about sitting as a member of this jury? If yes, explain
52. Do you own property in Baltimore City? If yes, do you have strong feelings about how the verdict in this case could affect your property and/or your property value?
53. Do you own a business in Baltimore City? If yes, was your business affected by the weeklong curfew and/or the civil unrest following the death of Freddie Gray?
54. Do you have strong feelings about how the verdict in this case could affect your business and/or financial livelihood?
55. Because there is a civil settlement, do you believe the Baltimore City Police Officer charged in the criminal case is guilty?
56. Do you have strong feelings about the civil settlement such that you believe the amount paid by the city was too much, not enough, or appropriate? If yes, explain

57. Were you, a relative, or close friend involved in the “Black Lives Matter” movement? If yes, do you have strong feelings about the way in which that movement is affected by the death of Freddie Gray and/or the way in which the death of Freddie Gray affected that movement?

58. Do you believe that the way in which the State’s attorney’s office handled the charges directly affected the decrease in civil unrest/riots/protests? If yes, explain

59. Have you, a relative, or close friend been the victim of police brutality? If yes, explain. Did you, a relative, or close friend file a complaint or internal affairs complaint arising out of the incident? If yes, were you satisfied with the way in which law enforcement handled the complaint or report?

60. Do you believe that race affects the likelihood of someone being a victim of police brutality?

61. Do you believe that the Baltimore City Police Department treats black citizens different than white citizens?

62. Have you heard, read, or seen any information relating to these events? If yes, please tell us what this information is, and the source.

63. Have you formed any impressions or opinions that would influence your ability to be fair to both sides in this case? If yes, please explain

64. If you have formed impressions or opinions about this case, can you set them aside and decide the case based solely on the evidence presented in court?

65. Have you seen, heard or read anything about the Baltimore City Police Department or the Baltimore City Police Department’s response to this case? If yes, explain

66. Please describe the extent to which you are familiar with the area of Sandtown, Gilmor Homes and/or Pennsylvania and North Avenue in Baltimore City

67. Do you believe police officers tend to treat criminal suspects differently in low income neighborhoods than in middle or high income neighborhoods? If yes, explain

CRIME VICTIMS/CHARGES

68. Defendant Caesar Goodson is African American. The alleged victim, Freddie Gray, was African American. Can you judge this case fairly without consideration of the race of the persons involved? If no, explain

69. Have you, friends or relatives ever been arrested by a Baltimore City Police Officer?
70. If you, friends, or relatives have ever been arrested by a Baltimore City Police Officer, have you been placed in a transport vehicle (either van or patrol type vehicle), and if so, were you seatbelted?
71. Should police officers be treated differently than civilians if they break the law?
72. Do you have knowledge of police procedures or methods from any source?
73. Do you personally know anyone that was killed while in police custody?
74. Have you ever had any positive, or negative, experience(s) with Baltimore City police officers or other law enforcement agents? If yes, explain
75. Have you ever witnessed the police use force on someone? If yes, explain
- a. Did you feel the police officer(s) acted appropriately? If no, explain
 - b. Did you believe the force was necessary? Explain
76. Have you or a close friend or relative ever been mistreated by the police?
- c. Describe what happened
 - d. Was the incident reported to officials?
 - e. Was anyone prosecuted or disciplined? Explain
77. Have you ever filed a complaint about a police officer? If yes, explain
78. Do you have any feelings about the prosecution of police officers who are charged with committing crimes? If yes, explain
79. Do you believe that because the defendant was a police officer and is now charged with a crime, that he is probably guilty

JURY DUTY

80. Would you like to serve on **this** jury?
81. If you are selected as a juror in this case, do you anticipate any negative reactions by friends or family if you find the defendant **not** guilty? Please explain
82. If you are selected as a juror in this case, do you anticipate any negative reactions by friends or family if you find the defendant guilty? Please explain

Appendix 1: Police Officers/Detectives BPD

1. Sgt. Robert Amador
2. Ofc. Brandon Avery
3. Ofc. Sarah Avery
4. Former Police Commissioner Anthony Batts
5. Maj. Donald Bauer
6. Ofc. Arlene Beads
7. Ofc. John Beamer
8. Ofc. Saimir Begollari
9. Ofc. John Bilheimer
10. Maj. Stan Brandford
11. Ofc. Eugene Breen
12. Ofc. James Briscoe
13. Det. William Boyd
14. Det. Donald Burns
15. Det. Edward Burns
16. Det. John Burns
17. Det. Robert Burns
18. Ofc. Anthony Bush
19. Ofc. Sidney Cutchin
20. Ofc. Michael DeJesus
21. Sgt. Kenneth DeLuca
22. Det. Ryan Diener
23. Ofc. Garey Dyer
24. Ofc. Raymond Fields
25. Dr. David Fowler
26. Det. Joseph Fritzges
27. Sgt. Tashawna Gaines
28. Ofc. Eric Green
29. Col. Garnell Green
30. Ofc. Tavon Green
31. Sgt. Michael Guzman
32. Ofc. Jamal Harris
33. Ofc. Suifan Hassan
34. Ofc. John Herzog
35. Sft. Michael Hobson
36. Sgt. Jaelyn Hubbard
37. Ofc. Aaron Jackson
38. Ofc. Lloyd Johnson
39. Sgt. Christopher Jones
40. Sgt. Sean Jones
41. Sgt. Brian Kratz
42. Det. Michael Lind
43. Ofc. Ryan Magnuson
44. Asst. Atty General Michele Martin
45. Det. Richard McCarthy

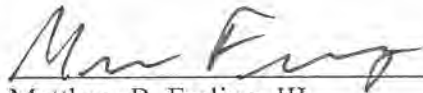
46. Ofc. Keegan Mills
47. Det. Eugene Molinaro
48. Ofc. Raymond Morroni
49. State's Attorney Marilyn Mosby
50. Ofc. Manolo Munoz
51. Sgt. Keenan Murphy
52. Ofc. Valentine Nagovich
53. Ofc. Jeffry Nugent
54. Lt. Christopher Quick
55. Lt. Robert Quick
56. Cpt. Erik Pecha
57. Ofc. Robert Persico
58. Ofc. Joyce Pinnock
59. Ofc. Alexandria Popham
60. Ofc. Brenden Provow
61. Ofc. Eric Ray
62. Cpt. Justin Reynolds
63. Ofc. Gabriel Rimolo
64. Maj. Osborne Robinson
65. Det. Kevin Roseborough
66. Ofc. John Rosenblatt
67. Ofc. Timothy Rueger
68. Ofc. Verna Severin
69. Ofc. Jeromee Shaurette
70. Det. John Socgfack
71. Sgt. Carl Stambaugh
72. Det. Daniel Stein
73. Sgt. Warren Stephens
74. Ofc. Susan Thomas
75. Ofc. Jonathan VanCuran
76. Det. Valencia Vaughn
77. Ofc. Sean Yampierre
78. Sgt. Lewis Yamin
79. Lt. Jason Yerg
80. Dr. Carol Allan
81. Custodian of Records, Forensic Medical Examiners
82. Asst. State's Attorney Albert Peisinger
83. Deputy State's Attorney Antonio Gioia
84. Asst. State's Attorney Lisa Goldberg
85. Det. Corey Alston
86. Det. Charles Anderson
87. Chief Martin Bartness
88. Det. Jeff Boettcher
89. Det. Michael Boyd
90. Ofc. Alice Carson-Johnson
91. Major Sam Cogan

92. Det. Alexi Correa
93. Det. Lakishna DeGraffinried
94. Ofc. Dan Gillgannon
95. Major Ian Dombrowski
96. Det. Alexis Emmanuelli
97. Det. Bryant Fair
98. Ofc. Mark Gladhill
99. Sgt. Christopher Grant
100. Det. Timothy Hamilton
101. Lt. Samuel Hood
102. Det. Christopher Izquierdo
103. CSO Vernon Laumann
104. Det. Osiris Lofton
105. Dr. Michael Lyman
106. CSO Thomas Maurer
107. Lt. Michael Norris
108. Ofc. Zachary Novak
109. Det. Joseph Poremski
110. Dr. Mary Ripple
111. Dr. Mark Soriano
112. Det. Donald Shores
113. Det. Carl Stambaugh
114. Det. Dawnyell Taylor
115. Ofc. April Taylor
116. Det. Syreeta Teel
117. Det. Mark Veney
118. Crime Lab Technician Thomas Wisner
119. Ofc. Matthew Wood
120. Ofc. William Porter

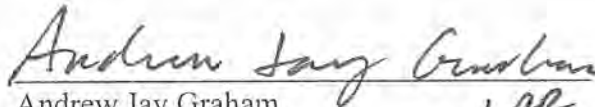
Appendix 2: Civilians

1. Ivan Bates
2. Tony Garcia
3. Mary Lloyd
4. Catherine Flynn
5. Michael Belsky
6. Chaz Ball
7. Marc Zayon
8. Allison Levine
9. Brandon Mead
10. Joseph Murtha
11. Gary Proctor
12. Donta Allen
13. Devon Brown
14. Duane Brown
15. Joseph Greely
16. Darryl Green
17. Michelle Gross
18. Don Lemon
19. Timothy Longo
20. Avon Mackel
21. Jayne Miller
22. William Murphy
23. Davonte Roary
24. John "Jack" Ryan
25. Michael Schuh
26. Sierra Warren
27. Wayne Williams
28. Jennifer Anderson
29. Virginia Cates
30. Kiona Craddock
31. Angelique Herbert
32. Thomas Herbert
33. Jung Hyoun Hwang
34. James Irons
35. Andrew Jaffee
36. Kevin Moore
37. Sean Norris
38. Rick Opitz
39. Brandon Ross
40. Daquantey Walker
41. Sam Walters
42. Shawn Washington
43. Nathaniel Adams
44. Oral Chambers

- 45. Paulette Hicks
- 46. Ernie Graham
- 47. Cameron Johnson
- 48. Dr. Matthew Ammerman
- 49. Dr. Vincent DiMaio
- 50. Dr. Joel Winer
- 51. Dr. Jonathan Arden
- 52. Charles Gregory Russell
- 53. Dr. Michael Woodhouse



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Counsel for Officer Caesar Goodson

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 15th day of December 2015, a copy of Defendant's proposed voir dire was served via first class mail, postage prepaid upon:

Michael Schatzow, Esquire
Chief Deputy State's Attorney for Baltimore City
120 E. Baltimore Street
9th Floor
Baltimore, Maryland 21202


Matthew B. Fraling, III *LAR*

STATE OF MARYLAND

Plaintiff

v.

CAESAR GOODSON

Defendant

* IN THE

* CIRCUIT COURT

* FOR

* BALTIMORE CITY

* Case No. 115141032

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ORDER

Upon consideration of Defendant Officer Caesar Goodson's Motion to Seal the Defendant's Proposed Voir Dire, it is this ____ day of _____, 2015,

ORDERED that the Defendant's Motion is **GRANTED**; and further

ORDERED that Defendant's Proposed Voir Dire, and Motion to Seal the Proposed Voir Dire, be filed under **SEAL**; and further

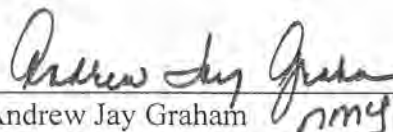
ORDERED that this Order be **SEALED**.

Judge
Circuit Court for Baltimore City

CERTIFICATE OF SERVICE

I hereby certify that on this 15th day of December 2015, a copy of the foregoing paper was mailed, first-class postage prepaid to:

Michael Schatzow, Chief Deputy State's Attorney
Office of the State's Attorney for Baltimore City
120 East Baltimore Street
Baltimore, Maryland 21202


Andrew Jay Graham