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DISTRICT COURT TRIAL OF
STATE OF MINNESOTA V. DEREK CHAUVIN

VOIR DIRE

JUROR 52

DAY 6 (March 15, 2021)

1 THE COURT: Good morning.

2 JUROR 52: Good morning.

3 THE COURT: And you are Juror 52?

4 JUROR 52: 52, correct.

5 THE COURT: All right. A couple things
6 before I turn you over to the attorneys. First of
7 all, I'm going to swear you in so that all your
8 answers are under oath. So if you could raise your
9 right hand.

10 (Juror 52 was first duly sworn.)

11 EXAMINATION

12 BY THE COURT:

13 Q All right. Thank you. Also, I'm going to ask you
14 to move closer to the microphone so that we can pick
15 up your voice. Also, I'm wearing my mask, given how
16 we are fairly close. But there is plexiglass
17 between us, there is plexiglass between you and the
18 attorneys when they're asking questions, so if you
19 feel that it would be more comfortable or that we
20 could hear you better with the mask removed, feel
21 free to remove the mask while you're being examined.
22 Your choice. I'm not going to make you do it, but
23 if you feel comfortable doing it, that would be
24 fine.

25 A Got it.

1 Q First of all, you filled out the questionnaire, and
2 thank you for doing that. A lot of good information
3 here. Is there -- is everything that you answered
4 on that questionnaire true and correct.

5 A Yes.

6 Q All right. Any changes or additions to the
7 questionnaire that you can think of right now?

8 A No, sir.

9 Q Okay. And the attorneys will probably go into more
10 individual questioning about this, because sometimes
11 when you fill that out months ago, other things
12 happen, you hear other things that might change
13 opinions, or you just in reflection think, oh, I
14 probably should have put that in there, or anything
15 like that? Right now, it sounds like you don't have
16 anything to volunteer, but -- is that correct?

17 A Correct.

18 Q But the attorneys might prompt a memory. Feel free
19 to add something that is different from your
20 questionnaire. You're not going to get into
21 trouble. What we're looking for are honest, open
22 answers as we go forward.

23 So you weren't supposed to read any
24 articles or watch any media about this case. But we
25 recognize that since this was months ago that you

1 filled out the questionnaire. Since the time you
2 filled out the questionnaire and now, have you
3 inadvertently been exposed to information? For
4 example, maybe you see a headline in passing, or you
5 talk to somebody about -- somebody says, Hey, did
6 you hear something about this case, and since we
7 told you, don't tell anybody you're a juror in this
8 case, you can't exactly stop people.

9 A Mm-hmm.

10 Q Anything like that happen to you, that you became
11 inadvertently aware of some information about the
12 case since the questionnaire and today?

13 A Yes, definitely. I've seen headlines speaking on
14 the case coming up just saying the dates, what to
15 look out for, just different headlines like that
16 through media outlets, Yahoo.com.

17 Q Okay.

18 A In particular.

19 Q Anything other than, like, kind of basic logistics
20 of the trial?

21 A No.

22 Q Okay. Did you hear anything about any other, you
23 know, any of the parties, the attorneys, pretrial
24 matters, related civil litigation, anything like
25 that?

1 A No, sir.

2 Q All right. And the reason we ask is because you may
3 have heard things about the case, and, you know,
4 that was our first question on the questionnaire.
5 The whole point there is, it's all right to have
6 read about it. It's hard to avoid. It's all right
7 to even form opinions based on what you have heard
8 and seen. But as a juror, you have to put all that
9 aside, decide this case just on the evidence in the
10 courtroom, essentially be a blank slate and apply
11 the law as I give it to you. Do you think you could
12 do that?

13 A For sure.

14 Q Okay, thank you. All right. We gave you a long
15 witness list. Did you recognize any of the
16 witnesses on it?

17 A No, sir.

18 Q All right. And we estimate that the trial is going
19 to be about four weeks once we start. And we're
20 anticipating starting on March 29 at 9 a.m. Does
21 that trial length, can you make that work?

22 A Yes.

23 Q All right. Any concerns about being on this jury as
24 far as timing?

25 A No.

1 THE COURT: Okay. All right. In that
2 case then, I'm going to turn you over to Mr. Nelson,
3 who's going to ask you questions first. Regarding
4 Juror Number 52, you may inquire, Mr. Nelson.

5 EXAMINATION

6 BY MR. NELSON:

7 Q Good morning, sir.

8 A Good morning.

9 Q Thank you for being here this morning. Were you
10 here on Friday too?

11 A I was, yes.

12 Q Well, thank you for your patience. Sometimes these
13 things take a little bit longer than we anticipate.

14 So what I would like to do this morning,
15 sir, is kind of ask you a series of, kind of, broad
16 and general questions to get to know you a little
17 bit better. And then I'm going to follow up with
18 some specifics on your questionnaire.

19 A Okay.

20 Q Understanding it's been awhile since you filled this
21 out and may not remember exactly what you wrote.

22 A Okay.

23 Q All right. So let's assume you and I were to have
24 met in some other circumstance, a social event, a
25 party, whatever. What are a couple of things about

1 you that I would walk away knowing?

2 A That I'm a pretty friendly, positive person,
3 generally have a positive attitude, have a positive
4 outlook on things.

5 Q Okay. Any hobbies, special interests, things of
6 that nature?

7 A I'm majorly into sports, big basketball fan, sports,
8 and then writing and music, so.

9 Q Okay, great. Now, in your personal -- well, let me
10 ask you this. You had a -- at some point you
11 learned that you were a prospective juror in this
12 particular case, right?

13 A Correct.

14 Q And you had obviously heard about this case prior to
15 receiving that notice. When you got the notice that
16 you were a potential juror in this case, what was
17 your initial reaction?

18 A I think I was more like, that's -- it's kind of odd
19 because I had never expected to be on jury duty any
20 time soon during that period. So it was just kind
21 of a surprise, shock.

22 Q Okay.

23 A Yeah.

24 Q Did you -- knowing that it was about this case, did
25 you have any concerns for your personal safety, the

1 safety of your family, anything of that nature?

2 A No, not at all.

3 Q Okay, great. And how about with respect to
4 COVID-19, do you have any concerns? You've
5 obviously seen we've taken a lot of precautions
6 here.

7 A Not at all.

8 Q Okay. In your personal or -- excuse me, personal or
9 professional life, can you think of a situation
10 where you were called upon to resolve a conflict
11 between two people?

12 A Absolutely. So in my personal life, I coach youth
13 sports, and a lot of times parents have conflicts
14 with maybe how much their kid is playing. So a lot
15 of times I might have to step in and mediate maybe
16 amongst two parents that have -- that are at a
17 conflict within that. And that's just a matter of
18 just communicating and just giving everybody a
19 platform to talk and listen, give the next person a
20 chance to listen to actually what's going on.

21 Q Okay. I think that's a great example. In terms of
22 -- so you would say that hearing both sides of the
23 story is a pretty important --

24 A Yeah.

25 Q -- component?

1 A Everybody has to kind of have a chance to kind of
2 communicate what's going on or what their thoughts
3 are.

4 Q Sure. Now, in terms of, again, your personal or
5 professional life, can you think of a situation
6 where you have been called upon to determine who is
7 lying about a particular situation or who is telling
8 the truth?

9 A Yes, same type of thing. Within coaching, doing --
10 parents and with youth, sometimes you do get people
11 who kind of bend the truth and it's just a matter
12 of, not necessarily proving that they're lying, but,
13 you know, you kind of pick up on different patterns
14 on -- as you get to know the people and get to know
15 the parents and their kids, you pick up on their
16 patterns and you try to understand when they kind of
17 possibly are bending the truth a little bit.

18 Q Okay. So in that situation, you know, one of the
19 things that you would be doing if you're a juror is
20 number one, resolving a conflict, right?

21 A Mm-hmm.

22 Q And conflicts that may emerge in the jury room as
23 well, right, conflicts between other jurors. Do you
24 recognize that?

25 A I had never thought of that, actually.

1 Q So you may be in a jury room, and let's assume, or
2 hypothetically there is a particular piece of
3 information or evidence that you or that one juror
4 thinks is extremely important and that another juror
5 or jurors thinks is irrelevant, right? That is
6 ultimately a conflict between the jurors, right?

7 A Yeah.

8 Q How would you approach that situation based, you
9 know, on your personal and professional experiences?

10 A I think by giving each juror a chance to state what
11 their thought process is, why they think this thing
12 is relevant or irrelevant, and getting the next
13 person to do the same thing. And then from there,
14 we would have to kind of discuss. I mean, I guess
15 as a group, we would have to discuss what makes
16 sense.

17 Q Okay.

18 A And I mean, there's always -- there's possibly --
19 depending on what it is, they could possibly both be
20 right, both be wrong, both be right. But I think
21 coming out to a group discussion to kind of
22 determine which way to lean on that.

23 Q Okay. In terms of, you know, the type of person you
24 are -- I mean, obviously we're taking you at face
25 value. We don't know what's in your heart or your

1 head. Let's assume it's you that has a very strong
2 opinion that this piece of evidence is relevant or
3 important, right, and others just think that that's
4 nuts, that it's not relevant. Are you the type of
5 person who agrees merely for the purpose of
6 consensus, or do you stand your ground and defend
7 your position?

8 A Yeah, I have no problem standing on what I'm
9 standing -- or what I believe until proven
10 otherwise.

11 Q Okay.

12 A That's -- that's definitely just who I am.

13 Q Okay. And in terms of your -- again, your role as a
14 juror is to determine -- you may have two witnesses
15 who testify, right, and they're both looking at the
16 exact same piece of evidence or the same event or
17 whatever. But they interpret it or they view it
18 differently, right? So your job is to determine
19 which of these people's testimony is credible, so
20 who is lying, who may be lying or who may be telling
21 the truth about a particular situation. Other than
22 kind of hearing out both stories, what tools can you
23 bring to that analysis?

24 A I think it's a matter of -- so like I said, that
25 listening aspect is important and understanding

1 what's the thought process behind it. I think
2 that's kind of how you determine that, at least for
3 me, is understanding the thought process behind it.
4 And it would have to make sense logically to me
5 individually. So if it doesn't make sense logically
6 to me as a person, it would be hard for me to
7 comprehend it.

8 Q Okay. Well, you said something interesting a little
9 bit ago too in terms of, until you would be proven
10 wrong or proven otherwise, right?

11 A Correct.

12 Q There was a comment in there. So have you -- can
13 you think of a situation in your life where you have
14 been 100 percent certain about something, only later
15 to determine you were wrong?

16 A Yeah, abs -- I don't have an exact example but it
17 does happen. Like with maybe my siblings or my
18 friends, we might be discussing something, and -- I
19 mean, I talk sports a lot with my friends, so we
20 might be discussing maybe a stat or something, and I
21 could be so adamant on, this is correct. And they
22 might pull it up, like actually look it up, pull up
23 the stat, and I might be wrong. I have no problem
24 admitting when I'm wrong either. So it's just a
25 matter of, okay, well, you pulled it up and now

1 that's what that is; I am 100 percent wrong.

2 Q Okay. And so are you the type of person who kind of
3 draws from that experience and maybe next time
4 you're talking stats, you know, you remember that,
5 and --

6 A Oh, yeah, I definitely remember.

7 Q Okay.

8 A So then it's kind of put in the back of my mind and
9 kind of cataloged in my brain.

10 Q Okay, great. So, again, one of your jobs as a juror
11 is, the judge will give you the law. You'll sit
12 through the trial. You'll hear all of the evidence;
13 you'll hear all of the testimony. And at the end of
14 the trial, the judge will give you rules of law.
15 Are you able to: A) listen to the entirety of the
16 evidence in this case in an impartial manner?

17 A Absolutely.

18 Q So any prior opinions you may have formed about this
19 case, you're telling us you can set those aside and
20 judge this case on the evidence as presented in
21 court alone?

22 A For sure.

23 Q Great. And at the end of the case, then, the judge
24 will give you rules of law. And I know that you're
25 not a lawyer, so -- but you may read the law and you

1 may think it's wrong or that it should be changed,
2 you have an opinion about the law. Are you able to
3 apply the facts, as you hear them in court, to the
4 law even if you disagree with the law?

5 A Yes.

6 Q Okay, great. So I have a few just sort of follow-up
7 questions on your questionnaire, sir. And again, I
8 know it's been a couple of months since you have
9 answered these questions, and I'm not trying to
10 trick you or anything like that, okay?

11 The first question that you're asked is
12 some questions about what you remember hearing about
13 the case. And you gave a pretty -- pretty detailed
14 response based on what you had seen in the news. I
15 mean, generally. Do you remember that?

16 A What was the exact question?

17 Q I'm sorry, I guess that was sort of a confusing
18 question.

19 A Yeah.

20 Q Do you remember what you wrote about what you had
21 heard about this case generally?

22 A I don't remember what I wrote, but I mean, what I
23 heard was -- was I mean, pretty much the facts where
24 -- I don't know what I wrote, but yeah, so it was
25 pretty much -- I have no idea what I wrote.

