

**DEPARTMENT OF THE AIR FORCE
UNITED STATES AIR FORCE TRIAL JUDICIARY**

UNITED STATES	)	
	)	
	)	DEFENSE PROPOSED
v.	)	VOIR DIRE QUESTIONS
	)	
STAFF SERGEANT KINYADA J. JOHNSON	)	
552d Operations Support Squadron (AETC)	)	
Tinker Air Force Base, OK	)	26 May 2026
	)	

The Accused, SSgt Kinyada Johnson, by and through counsel, and respectfully provides notice of, and requests the opportunity to ask, the following questions (and follow-up as necessary) to the members during *voir dire*.

1. Brief Introduction of Defense Counsel.

I. Knowledge of Participants

2. Has anyone here received legal advice, whether it be professional or personal, from any of the attorneys or staff here at the Tinker Base Legal Office.

II. Role of Defense Counsel

3. Does everyone agree that every Airmen is entitled to a strong, effective defense counsel?
4. During this trial, there will be times when I object because the defense believes a question or an answer is not admissible in court. And while I always try to be respectful, there may be times when I need to be more forceful in cross-examining witnesses. Does everyone understand that this is part of my job as SSgt Johnson's Defense Counsel?
5. Do you agree that a vigorous defense is not about being rude or inappropriate, but is simply part of the legal process to ensure the Government meets its high burden of proof for each and every element?
6. Have you, or anyone close to you, ever had a negative experience with either a military or civilian defense counsel?

III. Rights and Burden of Proof

7. Does everyone agree that a criminal allegation is a serious matter, and that this may be one of the most serious events in an Airman's life?
8. Does anyone think that just because the Government has convened this court-martial, SSgt Johnson must be guilty of something?

9. According to the law, SSgt Johnson must be presumed innocent of the allegations against him. That means that your scales of justice do not start at a neutral or 50-50 point. Instead, the scale starts with SSgt Johnson being presumed completely innocent. The Government, in this trial, must provide evidence that completely shifts the scales from innocent to guilty beyond a reasonable doubt. Will anyone have difficulty applying this presumption of innocence to SSgt Johnson?
10. Does anyone think the Defense must put on evidence or prove to you that SSgt Johnson is innocent?
11. SSgt Johnson has the right not to testify in this case. If he exercises that right and chooses not to testify, would you hold that against him in any way?
12. The Government must prove every element of the charge beyond a reasonable doubt. Do you have any concerns that this high burden is too strict or unfair?
13. If you believe the Government has not met its burden, the law requires you to find SSgt Johnson not guilty. Are you able to follow that instruction and find not guilty if the Government fails to prove its case to you beyond a reasonable doubt?

IV. Drug Offenses & Urinalysis Testing

14. Does anyone have strong personal, moral, or religious beliefs about drug use that would prevent you from being fair and impartial to both sides?
15. The Air Force's urinalysis program is designed to be a random process. Have you, or anyone close to you, ever had an experience with the drug testing program that left you with a strong opinion, either positive or negative, about its fairness or accuracy?
16. Generally speaking, do you believe it is possible for a person to unknowingly ingest a controlled substance without intending to?
17. The Military Judge will instruct you that a positive lab report, by itself, does not automatically mean a person is *guilty of wrongful use*. The Government *must also prove* the use was wrongful. Do you agree you can follow that instruction and require the Government to prove the element of wrongfulness beyond a reasonable doubt?
18. The Government may ask if you can convict based on a urinalysis alone. Do you agree that before you can even consider if a urinalysis alone is enough, you must first critically examine the reliability of that specific test, the chain of custody, and whether there are innocent explanations for the result?
19. Do you agree that an alleged positive lab report does not automatically mean that the Airman actually used a controlled substance, and that factors like sample contamination or testing errors must be considered?

V. Panel Member Independence

20. If selected as a member, you may enter the deliberation room to discuss the evidence in this case. Would any of you be influenced to change your opinion by a member simply because they outrank you?

21. In this case, you will be making a decision that will have a dramatic impact on SSgt Johnson's life and future. Are you uncomfortable in any way with the weight of this responsibility?

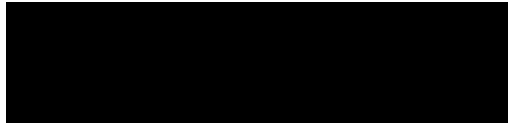
VI. Final General Questions

22. Based on what you know about yourselves, your beliefs, and your backgrounds, do you believe you can be fair in deciding the facts in this case?

23. Do you agree that by voting not guilty when the Government hasn't met its burden, you are not condoning any actions but are upholding the rule of law?

24. Lastly, are there any matters that you would like to bring up outside the presence of the other members, or anything you think we should be aware of if you are selected to serve as a member on this court?

Respectfully submitted,

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TRAVIS F. ELLIS, Capt, USAF
Defense Counsel

CERTIFICATE OF SERVICE

I certify I served a copy of these Defense Proposed Voir Dire Questions on the Military Judge and the Trial Counsel via email and e-filing on 26 May 2026.

Respectfully submitted,

A solid black rectangular box used to redact the signature of Travis F. Ellis.

TRAVIS F. ELLIS, Capt, USAF
Defense Counsel