

**DEPARTMENT OF THE AIR FORCE
TRIAL JUDICIARY**

UNITED STATES v. SSGT KINYADA J. JOHNSON 552d Operations Support Squadron (AETC) Tinker Air Force Base, OK	GOVERNMENT PROPOSED VOIR DIRE 19 May 2026
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The United States respectfully requests to ask the following questions during voir dire:

Good morning/afternoon/evening, I am Major Jason Zummo. I am a District Trial Counsel stationed at JBSA Randolph, Texas. With me is Capt Alison Sherrill. She is a JAG stationed at the legal office here at Tinker AFB. And together, we represent the United States in this Court-Martial.

1. I would like to begin by asking a little bit about your personal history. The Military Judge asked you whether any member of the court is in the rating chain, supervisory chain, or chain of command of any other member. To ask a broader question, does any member of the panel have a *close personal or professional relationship* with any other member of the panel?

2. The flyer in your folder lists the charge and specification in this case. As you can see, the charge and specification involve the Accused, within the Continental United States, on divers occasions, between on or about 22 January 2025 and on or about 9 June 2025 wrongfully using a controlled substance, that is, delta-9 tetrahydrocannabinol. So, knowing the charge and specification involves drug related offenses, does anyone feel uncomfortable with the idea that you might be selected to sit on the panel based on the nature of that charge?

3. Does anyone have any strong opinions about drug laws or regulations of the United States that would affect your ability to be fair and impartial to both sides if selected as a juror in this case?

a. Does anyone have any strong opinions for or against the legalization or decriminalization of drugs?

b. Do any of you believe the drug laws of the United States should not be enforced?

4. Does anyone have any strong opinions on whether the recreational use of controlled substances like THC-9 should be legalized *federally* [or does anyone personally believe the recreational use of controlled substances like THC-9 should be legalized *federally*)?

5. Drug testing is a critical part of the Department of the Air Force's drug prevention and control programs. Everyone here has been selected for a random urinalysis. Has anyone ever worked at the Drug Demand Reduction Program (DDRP) as an observer (the person who watches you urinate into the specimen bottle), or otherwise participated in the urinalysis collection process or the administration of the urinalysis program?

a. Do any of you have any strong opinions, either positive or negative, about the Drug Demand Reduction Program?

6. Have you, or anyone close to you – *a family member, a friend, a neighbor, a coworker* (someone who you genuinely care about; I’m not talking about people who really don’t mean much to you, like a random acquaintance from years ago or an Airman you don’t really know) – ever been involved in, or affected by, a situation involving illegal drug use?

7. Along those lines, have you, or anyone close to you – *a family member, a friend, a neighbor, a coworker* – ever been accused, arrested, or convicted of illegal drug use?

8. Have you, or anyone close to you – *a family member, a friend, a neighbor, a coworker* – ever submitted a urine sample that resulted in a positive test?

9. In your careers, have any of you been personally involved with any disciplinary action involving drugs, for instance as a commander (issuing disciplinary action), witness, jury panel member, investigating officer, or some other role?

a. In your careers, has anyone ever had to discipline a member of their unit or advise a commander about disciplining a member of their unit suspected of illegal using drugs?

b. Has anyone been a witness in a court-martial or administrative discharge board involving illegal drug use?

c. The military judge asked you earlier whether any of you had served in a court-martial before. I want to broaden that a little bit and ask, has anyone served as a panel member on an administrative discharge board of any sort?

10. Are any of you trained as a medical assistant, registered nurse, nurse practitioner, physician assistant, pharmacist, doctor or toxicologist?

a. Have any of you had training or experience regarding delta-9 tetrahydrocannabinol and its impact, if any, on the human body?

11. In this particular case, we are going to prove that the Accused wrongfully used delta-9 tetrahydrocannabinol using circumstantial evidence. Specifically, we will use the accused’s positive urinalyses (and the circumstances surrounding it). Does anyone disagree with the use of a urinalysis test to determine the presence of a controlled substance in the body?

a. Do any of you feel you would have to have an eyewitness to the drug use itself in order to vote to convict someone of drug use?

b. Do you all understand that some crimes are committed without any witnesses?

c. Does any member believe that an accused should not (or cannot) be convicted of wrongful use of THC-9 based on a urinalysis alone?

12. I want to talk to you about the standard of proof in this case, beyond a reasonable doubt – what it is and what it isn’t. You have probably heard terms like “beyond a shadow of a doubt” thrown around before. The military judge already gave you some instruction and he will instruct you again that “in criminal cases the law does not require proof that overcomes every possible doubt.” The phrase used here is beyond a reasonable doubt. Does everyone agree to set aside what they may have heard outside these walls and apply

the standard of beyond a *reasonable* doubt?

a. Does everyone agree to hold the United States to our burden of proving our case beyond a reasonable doubt?

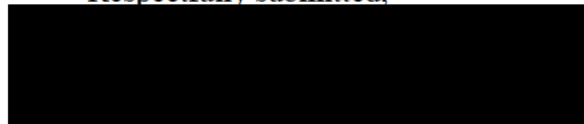
b. And if we do not meet that burden, would any of you hesitate in delivering a vote of not guilty?

c. Now, conversely, if we do meet that burden, would anyone hesitate on delivering a guilty verdict?

d. Knowing that at the end of the trial, if you are selected as a panel member, for the findings portion, you are going to be charged with determining whether the accused is in fact guilty or not guilty. Does anyone have any personal or moral or religious objection to sitting in judgment of another person?

13. Is there anything that we have not asked you that you feel we should know regarding your ability to be an impartial member of this court or is there anyone who would like to speak to us outside the presence of the other members?

Respectfully submitted,



JASON J. ZUMMO, Maj, USAF
Trial Counsel

CERTIFICATE OF SERVICE

I certify that a copy of this Government Proposed Voir Dire was served upon the Military Judge and Defense Counsel on 19 May 2026.



JASON J. ZUMMO, Maj, USAF
Trial Counsel