

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

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| UNITED STATES |) | |
| |) | GOVERNMENT PROPOSED |
| v. |) | VOIR DIRE |
| |) | |
| MSgt Jeffery K. Andersen |) | |
| (PACAF) |) | |
| Joint Base Elmendorf-Richardson, Alaska |) | 27 September 2021 |

The United States respectfully requests to ask the following questions during voir dire:

Brief Introduction of Counsel

Maltreatment and Sensitivity

1. Do you believe that maltreatment by supervisors or commanders can exist in the Air Force?
 - a. Ask individual member(s) for an example of what maltreatment may look like?
2. Do you believe physical contact or abuse is required for maltreatment?
3. Could someone be able to maltreat a subordinate using words alone?
4. Is there anyone here whose life, or someone close to them has been affected by maltreatment?
5. Do you believe maintaining good order and discipline is important to execute the mission?
 - a. Ask individual member(s) what they believe is vital to maintaining good order and discipline?
6. Do you believe that the Air Force has taken a softer approach of how senior members can treat junior members less harsh than in the past?
 - a. Do you agree with this approach?
7. The victims in this case did not report their supervisor for maltreatment for more than a year, is there anyone here who would disbelieve the victims in this case because of that?
 - a. Would the fact that some victims did not report at all change your answer?
8. Does a lack of reporting alleged maltreatment lead you to question the severity of the allegation?

General

9. This case was investigated by an investigating Senior Non-Commissioned Officer of the same rank as the accused, instead of the Office of Special Investigations or Security Forces. Would anyone hold that against the government?

a. Would that lead you to believe the alleged misconduct is not as severe as those investigated by those offices?

10. Have you ever had to discipline a member of your unit or advise a commander about disciplining a member of their unit suspected of having committed similar offenses to the one in this case?

11. Have you been a commander, an accuser, an investigating officer, or a witness in a court-martial or administrative discharge board involving similar offenses?

12. Captain Vanderkolk and myself bear the burden of proof. What I mean by that is we must prove the Accused committed the offenses beyond a reasonable doubt. As Judge Weide will instruct you, beyond a reasonable doubt does not mean proof beyond all doubt or proof to an absolute or some mathematical certainty. Beyond a reasonable doubt is both the amount and quality of evidence that leaves you firmly convinced of the accused's guilt. Do all of you agree to hold us accountable to that burden of beyond a reasonable doubt?

Sentencing

13. Do you believe, absent misconduct involving bodily harm, rape, or murder, that once a member has surpassed twenty years of service in the Air Force they should be entitled to full benefits and retirement?

14. Judge Percle will instruct you on the full range of punishments available for your consideration. Can you consider the full range of punishment, including bad conduct discharge, dishonorable discharge, confinement, reduction to E-1, and Total Forfeitures?

15. Your duty as panel members in this case will require you to make decisions that will have an impact on the lives of other people, principally the Accused. Are you comfortable with that role? Do any of you, for any reason, feel that you could not -- under any circumstances -- cast a vote that would adversely affect the accused or his future in the Air Force?

Respectfully Submitted,

MORGAN L. TAYLOR, Capt, USAF
Trial Counsel

Certificate of Service

I certify I served a copy of this Government Proposed Voir Dire Questions on the Military Judge and the Defense Counsel via email on this 27th day of September 2021.

MORGAN L. TAYLOR, Capt, USAF
Trial Counsel