

District Court, Teller County, Colorado Court Address: 101 West Bennett Avenue Cripple Creek, Colorado 80813	DATE FILED: August 16, 2019 4:30 PM
People of the State of Colorado vs. Defendant: Patrick Frazee	▲ COURT USE ONLY ▲
Deputy District Attorney: Jennifer Viehman Attorney Registration #: 33163 Add.: 105 E. Vermijo Colorado Springs, CO. 80903 Phone Number: 520-6000 District Attorney: Daniel H. May, #11379	Case #: 18CR330 Division #: 11 Courtroom #:
PEOPLE'S RESPONSE TO COURT'S ORDER FOR COUNSEL INPUT REGARDING JURY SELECTION (P-17)	

The People of the State of Colorado, Daniel H. May, District Attorney for the Fourth Judicial District of Colorado, by and through his duly appointed Deputy District Attorney, Jennifer Viehman, hereby respond to the Court's Order for Counsel Input Regarding Jury Selections as follows:

The People received Defense's response and concur with Defense that the parties do not appear to have substantive differences in the voir dire process. In the order, the Court requested answers to several questions:

- 1) Expected length of trial not including voir dire?

The People would estimate that the trial would take three weeks not including voir dire. Initially, the People had anticipated three weeks total, but as the Court correctly pointed out, there are significant space limitations and publicity that will make jury selection challenging.

- 2) Estimate length of voir dire?

The People anticipate a week for voir dire given the challenges present in this case.

- 3) The total number of jurors needed to appear for voir dire over multiple days?

Given the publicity and potential hardships the People anticipate needing 250 jurors.

- 4) Number of alternate jurors requested?

The People have no objection to 4 alternates as proposed by defense.

5) Proposed juror questionnaire?

The People are attaching as Exhibit 1 our proposed juror questionnaire. It includes the questions from the standard questionnaire.

6) Number of jurors requested each day of voir dire? Procedures for voir dire?

Defense in their response have proposed a workable suggestion. The People also suggest that the jurors could report in two groups of 125 on Monday and Wednesday. The jurors would fill out the questionnaires, watch the video and the initial welcoming remarks and comments from the court in the morning. The jurors would then sign up for a time to return for individual voir dire for the afternoon or for Tuesday or Thursday. A number of jurors would then be required to appear three days for jury selection, it will however reduce hardship if the jurors select the time for individual voir dire. The People anticipate that it may be best to conduct individual voir dire on all jurors. Once all individual voir dire is done, the remaining jurors would return for final voir dire on Friday.

7) Number of jurors for final voir dire?

The People anticipate needing between 70 and 80 jurors for the final day of voir dire.

8) Individual voir dire

The People believe that if jurors sign up for specific times for individual voir dire, it can be accomplished in the courtroom. The People agree with Defense that the public and members of the media should be restricted from attending these dates for privacy concerns of the prospective jurors.

The People will be prepared to fully discuss these issues and procedures at the motions date on August 23, 2019.

Daniel H. May, #11379
DISTRICT ATTORNEY

/S/ Jennifer Viehman

August 15, 2019
Date

Jennifer Viehman, #33163
Deputy District Attorney
105 E. Vermijo Ave.
Colorado Springs, CO 80903

CERTIFICATE OF MAILING OR DELIVERY

I hereby certify that I have deposited a true and correct copy of the forgoing **PEOPLE'S RESPONSE TO COURT'S ORDER FOR COUNSEL INPUT REGARDING JURY SELECTION** upon all parties herein by electronic filing via ICCS.

Dated: August 15, 2019

By /s/