

STATE OF NEW HAMPSHIRE
ROCKINGHAM COUNTY SUPERIOR COURT

STATE OF NEW HAMPSHIRE, . Case No. 09-S-0319
. .
Complainant, . Supreme Court No. 2010-0262
. .
vs. . Brentwood, New Hampshire
. Tuesday, October 27, 2009
. .
JESSE BROOKS, .
. .
Defendant. .
.

TRANSCRIPT OF JURY SELECTION
BEFORE THE HONORABLE TINA L. NADEAU
SUPERIOR COURT JUSTICE

APPEARANCES:

For the State: Janice Kerr Rundles, Esq.
Michael S. Lewis, Esq.
OFFICE OF THE ATTORNEY GENERAL
33 Capitol Street
Concord, New Hampshire 03301

For the Defendant: William H. Kettlewell, Esq.
Maria R. Durant, Esq.
DWYER & COLLORA, LLP
600 Atlantic Avenue
Boston, Massachusetts 02210

(Appearances Continued)

Audio Operator: Electronically Recorded
by Monitor Gail M. Richards

Transcription Company: Rand Reporting & Transcription, LLC
80 Broad Street, Fifth Floor
New York, New York 10004
(212) 504-2919
www.randreporting.com

Proceedings recorded by electronic sound recording, transcript
produced by court-approved transcription service.

APPEARANCES:

For the Defendant:

Peter D. Anderson, Esq.
MCLANE, GRAF, RAULERSON
& MIDDLETON, PA
900 Elm Street, PO Box 326
Manchester, New Hampshire 013105

1 MR. JENSON: I guess it's just that I don't get paid
2 days off, so being here is going to --

3 THE COURT: You won't get paid for three weeks?

4 MR. JENSON: Right. And three to four weeks I could be
5 homeless and/or --

6 THE COURT: Okay. We're not going to do that to you.

7 MR. JENSON: -- without the job.

8 THE COURT: You're going to be excused then. Thank
9 you.

10 MR. JENSON: All right. Thank you.

11 THE COURT: Thanks.

12 (Sidebar concluded.)

13 THE COURT: This juror is excused.

14 THE CLERK: Patrick Gould, Exeter.

15 THE COURT: Sir, anything you need to bring to my
16 attention?

17 MR. GOULD: Yes, Judge.

18 THE COURT: Okay. Come on up.

19 (Sidebar.)

20 THE COURT: Hi.

21 MR. GOULD: My brother and sister-in-law are state
22 troopers. One's a state trooper and one's a lieutenant in the
23 field.

1 THE COURT: Okay. State trooper in New Hampshire?

2 MR. GOULD: Yeah.

3 THE COURT: Okay. Do you talk to them much about
4 police business?

5 MR. GOULD: I have some prior knowledge, but nothing
6 that would preclude me from being unbiased.

7 THE COURT: Okay. Prior knowledge about this case?

8 MR. GOULD: Yeah.

9 THE COURT: Okay. We'll deal with that separately. Do
10 you think because of their jobs, it would cause you to believe
11 the police are more likely to tell the truth than any other
12 witness?

13 MR. GOULD: No.

14 THE COURT: And do you think you can judge the
15 credibility of all witnesses based on the same rules I'll give
16 you, regardless of whether they're police officers or lay
17 witnesses?

18 MR. GOULD: Yes.

19 THE COURT: And can you be fair and impartial?

20 MR. GOULD: Yeah.

21 THE COURT: And what do you recall hearing about this
22 case?

23 MR. GOULD: It was just a -- it was a conversation we

1 had in the summer and he had mentioned that there were -- he
2 mentioned the name of the case, which I recognized, and I knew
3 that two people were serving already for being sentenced in
4 alternate trials. That was all I knew.

5 THE COURT: Yeah, and that was all you knew?

6 MR. GOULD: That was it.

7 THE COURT: Okay. Have you formed an opinion about the
8 guilt or innocence of this defendant?

9 MR. GOULD: No.

10 THE COURT: Okay. Because the jury will hear from two
11 witnesses that are incarcerated. Okay. Any other questions on
12 that issue?

13 MR. KETTLEWELL: Well, just so I'm clear, the knowledge
14 you have about the case came from your brother?

15 MR. GOULD: Yes.

16 MR. KETTLEWELL: And he was talking to you about what
17 he knew about while he was in the parlance of being a state
18 trooper?

19 MR. GOULD: Yes.

20 MR. KETTLEWELL: Okay. And do you think because your
21 brother knew about the case, he worked on the case at all?

22 MR. GOULD: No, I don't believe he worked on it.

23 MR. KETTLEWELL: Okay.

1 MR. GOULD: He wasn't in major crime at that time. I
2 think it was just hearsay.

3 MR. KETTLEWELL: But he's in major crime?

4 MR. GOULD: He had been at one point, yeah.

5 MR. KETTLEWELL: Oh, he was at one point. Okay. But
6 do you think that if you were called and selected as a juror,
7 you'd have a problem returning a not guilty verdict because you
8 had to go back and face your brother?

9 MR. GOULD: No. I think I could live with that.

10 MR. KETTLEWELL: You could live with that?

11 MR. GOULD: Yeah.

12 MR. KETTLEWELL: All right.

13 THE COURT: Okay. Any other questions?

14 MS. RUNDLES: No, Your Honor.

15 THE COURT: Okay. Thank you, sir. You're qualified.

16 (Sidebar concluded.)

17 THE CLERK: Linda Belluche, North Hampton.

18 THE COURT: Ma'am, anything you need to bring to my
19 attention?

20 MS. BELLUCHE: Yes.

21 THE COURT: Okay.

22 (Sidebar.)

23 MS. BELLUCHE: Hi. I have three little kids ages six,