

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

WILLIAM BLAKE,

*

Plaintiff

*

v.

*

Civil Action
L07-CV-50

BALTIMORE COUNTY, MARYLAND, et al.,

*

Defendants

*

* * * * *

PLAINTIFF BLAKE'S PROPOSED VOIR DIRE

Plaintiff Blake, through his undersigned counsel, hereby requests the following voir dire.

Brief Summary of the Case

This is a lawsuit about certain actions taken by the Baltimore County government with respect to police officers who had or may have had a seizure in the past. Detective William Blake claims he was subjected to wrongful conduct and retaliation in violation of the Americans with Disabilities Act, when he was ordered to reply to medical inquiries and submit to a medical examination and testing after he testified in support of a fellow police officer.

Police

1. Have you or any relative or close friend worked in law enforcement, public safety or a related field?
2. Have you or any relative or close friend had an experience with law enforcement or public safety personnel, favorable or not favorable, that may influence the manner in which you consider this case?

Medical

1. Have you or any relative or close friend worked in medicine, healthcare, or a related field?
2. Have you or any relative or close friend had an experience with medical or healthcare personnel, favorable or not favorable, that may influence the manner in which you consider this case?

Workplace Claims

1. Do you have any training in the fields of discrimination, human resources, personnel, or a related field?
2. Have you ever been employed in the fields of discrimination, human resources, personnel, or a related field?
3. Have you ever been in management at your place of business, and if so, what area of management?
4. Have you ever been accused of discrimination or related misconduct in the workplace?
5. Have you ever brought any kind of claim for discrimination or related misconduct in the workplace?
6. Have you ever been involved in any manner in the investigation of a discrimination or misconduct claim in the workplace, as a witness, an investigator, or otherwise?
7. Have you or any member of your family or a close friend ever been fired or laid off? If so, what were the circumstances, do you believe it was

unfair or illegal, and did you or your family member or friend pursue any action as a result?

Health Concerns and Disability

1. Do you agree that employment discrimination on the basis of disability exists?
2. Which statement more closely describes your opinion:
 - a. Discrimination against workers with disabilities is a serious problem. *or*
 - b. The laws designed to prevent and punish discrimination have gone too far.
 - c. What is the basis for your opinion?
3. Do you believe an ordinary citizen, with a disability, should be able to work if he or she can perform the essential job duties?
4. Do you believe a police officer, with a disability, should be able to work in law enforcement if he or she can perform the essential job duties?
5. Have you or any relative or close friend ever had a disability or chronic or serious medical condition? If so,
 - a. What is the disability or chronic or serious medical condition?
 - b. Have you or they experienced any difficulty in finding or keeping a job as a result?
6. Have you or any relative or close friend ever had a disability or chronic or serious medical condition that challenged your, or his or her, ability to perform a job?

7. Have you or any relative or close friend ever had a disability or chronic or serious medical condition that did *not* challenge your, or his or her, ability to perform a job, yet resulted in difficulty in the workplace or with the employer?
8. Have you worked with someone who had a disability or chronic or serious medical condition? If so, how was the experience, and do you feel the co-worker was treated fairly?
9. Have you or anyone in your family or a close friend ever hired a person with a disability or chronic or serious medical condition? If so, please describe your experience.
10. What are some concerns an employer might have about employing a person with a disability or chronic or serious medical condition?
11. Have you or any relative or close friend ever been injured or become seriously ill and needed some accommodation or different arrangement in the workplace? If so, how was the experience, and do you feel you or the relative or friend was treated fairly?
12. If a co-worker got ill or injured, would you (a) strongly agree, (b) disagree or (c) have no opinion, if that co-worker asked your employer for some accommodation or different arrangement so that he or she could continue working?

Seizures

1. Have you or any relative or close friend ever had a seizure or a potential seizure?

2. Have you or any relative or close friend who has had a seizure or a potential seizure been subjected to ridicule or unfair treatment, or stigmatized, as a result?
3. Have you or any relative or close friend who has had a seizure or a potential seizure been subjected to discrimination or unfair treatment on the job as a result?
4. Do you feel that people who have had a seizure or a potential seizure should be permitted to continue working?
5. Do you feel that people who have had a seizure or a potential seizure are impaired or pose a danger, such that they should not be permitted to continue working?

Depression & Compensatory Damages

1. Do you believe depression is a medical issue or just a state of mind?
2. Have you or any relative or close friend ever received medical treatment or been prescribed medication for depression or a related mental health condition?
3. Does anyone believe that being discriminated against *cannot* cause one to feel humiliated, ashamed or frustrated?
4. Some people believe that a person who was subjected to unlawful discrimination based on his or her disability should be allowed to recover money as compensation for the mental pain and suffering caused by the discrimination. Other people do not think money

should be paid for mental pain and suffering. Which statement describes your opinion?

5. Do you believe people in more dangerous occupations, such as police officers, firefighters or soldiers, are, by nature, “tougher” and less susceptible to depression?
6. Do you believe people in more dangerous occupations, such as police officers, firefighters or soldiers, are, by nature, less susceptible to feeling humiliated, ashamed or frustrated by discrimination?
7. Detective Blake has made a claim for compensatory damages for the emotional impact of the claimed illegal actions of Baltimore County; do you believe monetary damages should not be awarded for such non-economic injuries?
8. If the judge were to instruct you that such compensation was proper under the law, would you have any hesitation about making such an award if the evidence warranted it?
9. Does anyone have a religious, moral or philosophical opposition to awarding compensatory damages if the evidence warrants an award of compensatory damages, such as for mental anguish?

General, Knowledge or Potential Bias

1. Do you know any of the following people who may be called as witnesses: *[to be provided]*
2. Do you know any of the lawyers involved in this case: Kathleen Cahill or Jeffrey Cook.

3. Have you or any relative or close friend worked for Baltimore County government?
4. Does anyone feel that there are simply too many lawsuits filed?
5. Does anyone feel that there are too many lawsuits filed by employees against employers?
6. Given that any award of damages to Detective Blake would have to be paid by Baltimore County government, would you have any hesitation to render an award of fair damages to Detective Blake?
7. Do you or any relative or close friend have legal training?
8. Have you or any close relative been sued, and if so, what for?
9. Do you believe that laws are so prevalent that they make it difficult for the government to operate efficiently?
10. Do you believe that employment laws are so prevalent that they make it difficult for employers or businesses to operate efficiently?
11. Do you now or have you in the past worked for a company or governmental entity that was sued, and if so, how do you think the suit impacted the business or governmental entity?
12. Has anyone read or heard or know anything about the subject matter of this trial?

/S/ _____
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