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Dzhokhar Tsarnaev trial: Judge, lawyers sift through potential jurors' ties to Boston Marathon bombing



In this courtroom sketch, Boston Marathon bombing suspect Dzhokhar Tsarnaev is depicted sitting in federal court in Boston Thursday, Dec. 18, 2014, for a final hearing before his trial begins in January. Tsarnaev is charged with the April 2013 attack that killed three people and injured more than 260. He could face the death penalty if convicted. (AP Photo/Jane Flavell Collins) (Jane Flavell Collins)



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DZHOKHAR TSARNAEV

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BOSTON - The potential juror fought back tears, her voice quivering as she recounted her connection to the Boston Marathon bombing.

She lives in Dorchester, the hometown of 8-year-old Martin Richard, who was killed in the bombing, and she had met Martin on a cleanup day.

The Boston-based education non-profit she runs fielded a team of runners in the 2013 Boston Marathon. She was at the Westin Hotel near the Marathon finish line that day. "I had to look for my runners, their families. I had given them passes to the finish line," she recalled, as she choked up.

The judge and lawyers agreed to stop questioning her at that point.

As jury selection continues in the trial of Dzhokhar Tsarnaev, the man accused in the bombing at the finish line of the 2013 Boston Marathon, which killed three and injured 260, the lawyers and judge must sift through a pool of potential jurors, many of whom have ties to the case. The question will be: how close is too close?

Individual questioning of the potential jurors continued for a second day Friday and will continue next week until 12 jurors and six alternates are selected. **As he had on Thursday**, U.S. District Court Judge George O'Toole questioned the jurors on answers they gave to a questionnaire related to topics such as their views on the death penalty and whether anyone in their family worked in law enforcement. O'Toole questioned 20 jurors Thursday and another 14 Friday. He and the lawyers are not expected to say who was selected for the jury until the end of the questioning process.

Given the enormous publicity surrounding the bombings, it would be nearly impossible to find jurors who are unfamiliar with the case. But the judge and lawyers will try to weed out jurors who have already made up their minds or who have ties that make it difficult for them to be objective.

For one woman, it was not the bombing itself, but the subsequent murder of MIT Police Officer Sean Collier that makes a difference in her ability to serve objectively. Her husband is a Massachusetts State Police trooper, who has worked for the police for 33 years. He patrols Logan Airport, the seaport and Hanscom field. "It was a police officer that was killed through this. I don't think I can be impartial," she said. "It's kind of hard to ask someone when their husband's in that field of work."

A man who works for the Massachusetts Department of Energy Resources attended a fundraiser in Boston for the One Fund, the official charity established after the attacks to benefit the bombing victims. He donated \$50 or \$75.

Yet, the man said, he still thinks he could be unbiased. He said he takes the judge's instructions seriously that Tsarnaev is innocent until proven guilty, and he has not formed a definitive opinion on Tsarnaev's guilt or penalty. "I have committed myself to make a decision based on what you had said is all the evidence in the case," he said.

An academic administrator and researcher in criminal justice ran the Boston Marathon four times. "There was a time in my life I lived and breathed it," he said.

Asked whether it will affect his views, he said, "I would like to think I could put it aside. I can't say 100 percent."

That man had a harder time with the death penalty. He said he has reservations about the death penalty from a public policy perspective, and the fact that Tsarnaev was only 19 when he allegedly set the bomb "has some weight in my mind."

Some potential jurors knew people who were near the attack – a cousin working the marathon medical tent or a friend who was one of the first police officers to respond to the finish line.

One man's son was planning to go to the marathon finish line when the bombs went off. Will he think about it while sitting on the jury? "I'd think about that little boy, that 8 year old, those people who lost their son," the man said, referring to Martin Richard.

His questioning ended there.



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