

1. My name is Arthur H. Patterson. I have been conducting jury research since 1982. I was a Senior Vice President of DecisionQuest, a national jury consulting firm, from 1998 until March, 2019. I am currently a Senior Consultant at the same firm. I am over twenty-one (21) years of age, and I am competent to give the testimony contained in this declaration. I have personal knowledge that the facts stated in this declaration are true and correct, or where I do not have personal knowledge of the facts, they are of a type reasonably relied upon by experts in my field in forming opinions or inferences.

QUALIFICATIONS

2. DecisionQuest assists litigators in understanding the attitudes, perceptions, and decision-making processes of jurors, including any biases and prejudices those jurors may bring to the courtroom.
3. I have a B.A. degree (with Honors in Psychology) from Clark University in Worcester, Massachusetts. My M.A. and Ph.D. are in Social Psychology from Northwestern University in Chicago, Illinois. I was previously a tenured Associate Professor of Administration of Justice at the Pennsylvania State University.
4. I have provided jury consulting services to counsel for both plaintiffs and defendants in civil trials, criminal defense counsel, public defenders, and federal and state prosecutors in federal and state court cases throughout the United States. I have been qualified as an expert on jury issues, and have had my affidavits and declarations accepted for use by the Court, in federal and state courts throughout

the country. I have lectured on juries to organizations such as the American Bar Association (at annual meetings, as well as at Litigation Section and Tort and Insurance Practice Section National Institutes), the National Institute of Justice, the Pennsylvania Bar Association, the Philadelphia Bar Association, the Connecticut State Attorneys Association, the Florida Bar Association, the Delaware Bar Association, the Washington, D.C., Bar Association, the North Carolina Bar Association, the Kansas District Attorneys Association, the Georgia Prosecuting Attorneys Council, the Department of Justice, the American Psychological Association, the American Society of Criminology, and the Academy of Criminal Justice Sciences. I have also been a member of the faculty for various continuing legal education seminars, including the National Institute for Trial Advocacy (NITA), ALI-ABA, and the Practicing Law Institute. I have published articles on the psychology of jurors in both legal and psychological publications.

5. In my work as a consultant to trial counsel on jury issues in hundreds of civil and criminal cases throughout the country, I have conducted over 100 juror attitude surveys, including change of venue research, observed and assisted counsel in hundreds of jury selections, conducted hundreds of mock trials for research purposes, conducted post-trial interviews with the actual jurors in many of these cases, and conducted numerous empirical studies of juror attitudes.
6. I have taught university undergraduate and graduate-level courses on research methods, social psychology, the administration of justice, and the American jury.

I have received research grants to conduct survey research from federal and private agencies. A copy of my curriculum vita is attached as Exhibit 1.

7. DecisionQuest has offices in Atlanta, Boston, Chicago, Los Angeles, Minneapolis, New York, State College, Pennsylvania, and Washington, DC.
8. DecisionQuest is a firm engaged in the business of understanding the social and psychological processes involved in juror behavior. DecisionQuest maintains a full-time staff of Ph.D. specialists in psychology, social psychology, sociology, communication sciences, statistics, computer analysis, and research design. DecisionQuest assists attorneys in understanding the perceptions that jurors bring with them into the courtroom. These may include certain biases and prejudices.
9. The principals of DecisionQuest have conducted research in more than 14,000 civil and criminal cases throughout the United States and abroad. Over the last 30 years, we have frequently been asked to analyze venue questions, particularly to determine a party's ability to obtain a fair trial in a given venue.
10. At the request of counsel for the defendants, a venue study was commissioned to investigate the extent and impact of pre-trial publicity in U.S. v. Julia Beatrice Keleher, et al.

SURVEY METHODOLOGY

11. The venue study compared the responses of jury-eligible residents of Puerto Rico with jury-eligible residents from another venue within the First Circuit, the U.S. District Court, District of Massachusetts, Boston Division.¹
12. With the proliferation of “robocalls” in the last few years, response rates for telephone interviews have dropped significantly. The infrastructure challenges for Puerto Rico resulting from the aftermath of Hurricane Maria brings further methodological problems for surveys relying on only one mode of sampling. Thus, in order to ensure that the entire jury-eligible population in both venues was adequately sampled, this survey used both the telephone and the internet to sample jury-eligible residents of the jurisdictions of the United States District Court for the District of Puerto Rico and the U.S. District Court, District of Massachusetts, Boston Division.
13. The telephone portion of the survey was conducted by Braun Research, a firm DecisionQuest regularly uses to perform such work. Braun Research assured DecisionQuest that the sampling techniques met the methodological standards necessary for academic and legal research.
14. Between October 8 and 21, 2019, jury-eligible residents of the jurisdictions of the United States District Court for the District of Puerto Rico and the U.S. District Court, District of Massachusetts, Boston Division were contacted using random digit dialing with replicate sampling. Replicate sampling is a standard technique

¹ The District of Massachusetts, Boston Division is comprised of Boston and several counties located in Eastern Massachusetts. For the sake of brevity, in this document, the venue is sometimes referred to by the initials, MABD.

used for academic and legal research that maximizes the representativeness of the sample.

15. The sample was built in replicates of 100 telephone numbers each drawn proportionally by population for each region in Puerto Rico and by county in eastern Massachusetts. The replicates were randomized. This gives each household with a telephone an equal opportunity to participate in the survey.
16. Braun Research completed 200 phone interviews, 100 from Puerto Rico and 100 from eastern Massachusetts. For both venues, one-half of the respondents had land lines and the other half had cell phones. Each phone number was dialed four times or until the number was resolved (whichever came first). A resolved number is a number where the respondent completed the survey, a number was found to be a disconnected phone, or some other final resolution. Calls were made on both weekdays and weekend days and at different times during the day beginning at or after 11:00 AM and ending at or before 9:00 PM respondent time.
17. Additionally, 405 interviews were conducted via the internet using the company SurveyGizmo, which like Braun Research, is a firm that DecisionQuest regularly uses to perform such work. Two hundred and two interviews were collected from jury-eligible residents of the jurisdiction of the United States District Court for the District of Puerto Rico and 203 interviews taken from jury-eligible residents of the jurisdiction of the U.S. District Court, District of Massachusetts, Boston Division. These interviews were conducted from October 4 to 13, 2019.
18. The respondents from the internet survey were randomly sampled from a much larger internet panel. They were contacted via large e-mail “blasts” randomly

- sent out to many potential respondents within the panel in which the person was given a link to the survey and invited to participate. These e-mail “blasts” were sent out every few days until the number of respondents needed was attained.
19. The survey questions presented via the phone and internet were identical, both in terms of the wording of the questions and the choice options that were presented.
 20. The phone and internet interviews combined resulted in a sample size of 302 respondents from Puerto Rico and 303 survey participants from eastern Massachusetts.
 21. The sample size was determined to obtain a margin of error of approximately 6%.
 22. Respondent suitability.
 - a. In order to qualify for the survey, respondents had to be jury-eligible in each venue. The jury eligibility screening questions included an additional screener question for English for the Puerto Rico sample so that only those who reported that they were either “native English speakers”, spoke English “very well” or “well” were allowed to participate in the survey. Also, the entire survey itself was presented in English.
 23. Instrument design.
 - a. DecisionQuest created the survey instrument in accordance with established guidelines.
 - b. A complete copy of the survey instrument is included as Exhibit 2 to this declaration.
 24. Supplemental analyses, readability statistics.

- a. To ensure respondents understood the questions posed to them, the survey text was analyzed using Microsoft Word's built-in readability statistics.
- b. By this measure, the text had a Flesch-Kincaid Grade Level of 7.7, meaning that a middle school student in the 7th grade should be able understand the survey.
- c. Also of note, due to the several screening questions that a person had to answer in a certain way before being allowed to participate in the survey, it is exceedingly unlikely that an internet survey participant who did not comprehend the survey and was giving random responses would be able to make it past the screening process. Finally, a timing screener was present in the internet version of the survey so that anyone giving answers too quickly (an indication that he or she was not reading or comprehending the questions) was automatically terminated from the interview.

25. Supplemental analyses, order effect.

- a. Participants who reported some familiarity with the case were asked whether they felt the defendants were guilty or innocent. About half were given the response options with "definitely guilty" first, and about half were given options beginning with "definitely not guilty."
- b. To check whether the order of these options had any impact on the presumption of guilt, a statistical analysis was conducted on this order effect.
- c. No statistically significant difference in the guilty versus innocent responses was observed as a function of this response option order.

26. Supplemental analyses, age and gender.

- a. Since the sample's age and gender distributions departed somewhat from Census Bureau estimates, supplemental analyses were conducted to determine what impact, if any, this might have on the survey's findings with respect to familiarity with the case, the presumption of guilt, and emotional reactions to the case.
- b. Familiarity with the case or exposure to publicity.
 - i. There was no meaningful relationship between exposure to publicity and age, i.e., the correlation between age and respondents' reports of being familiar with the case (from having been exposed to publicity) was non-significant.
 - ii. There was no statistical relationship between respondent gender and familiarity with the case.
- c. The presumption of guilt.
 - i. For respondents who were able to give some opinion on the guilt or innocence of the defendants, there was no significant correlation between age and perceptions of guilt/innocence.
 - ii. Neither did men and women significantly differ in their average perceptions of guilt and innocence.
- d. Anger directed against the defendants.
 - i. Participants who reported some familiarity with the case were asked, (Question 26 in the survey, see Exhibit 2, question numbering referred to throughout this declaration uses the Puerto

Rico survey version) “How much, if any, anger would you say there is in your community towards these defendants?” They were offered responses of “A lot,” “Some,” “A little,” “None at all,” and “Don’t know.”

- ii. Among those who responded to this question, there was no significant correlation between this measure of anger and age.
- iii. There was no significant difference between the responses of men and women.

27. Supplemental analyses, cell phone sample versus landline sample.

- i. No difference was observed between familiarity with the case and cell versus landline.
- ii. No difference was observed between presumed guilt/innocence and cell versus landline.
- iii. No difference was observed between emotional reactions and cell versus landline.

28. Supplemental analyses, phone sample versus internet sample.

- i. No difference was observed between familiarity with the case and sample source (phone or internet).
- ii. No difference was observed between presumed guilt/innocence and sample source (phone or internet). However, there were a higher proportion of “don’t know” responses for those individuals who participated via phone as opposed to the internet.

- iii. As regards emotional reactions and sample source (phone or internet), respondents who participated via phone were slightly less likely to report feelings of anger existing in their community regarding this case. This result may be due to a greater hesitancy to acknowledge feelings of anger to a live interviewer.
29. These findings are consistent with my experience in such matters and the published literature relevant to each issue. It is therefore my opinion that these factors pose no threat to the validity of the study.

PRINCIPAL FINDINGS

30. The focus of this venue evaluation is a comparison of the responses of potential jurors in the Puerto Rico (PR) and District of Massachusetts, Boston Division (MABD) jurisdictions to questions in three general categories:
- a. Familiarity with the case and the extent of exposure to pre-trial publicity;
 - b. Presumptions about the guilt of the defendants; and
 - c. Emotional reactions to the events at the heart of the case.
31. General familiarity with the case.
- a. Two early questions in the survey assessed respondents' familiarity with the case. The questions were:
 - i. Q8. Do you recall reading or hearing anything about the former Puerto Rico Secretary of Education and other individuals whom have been accused of misconduct?

- ii. Q9. According to news reports, the former Puerto Rico Secretary of Education and the former Puerto Rico Health Insurance Administration head are accused by the federal government of multiple crimes for illegally steering federal money to unqualified politically connected contractors. Their co-defendants include two businessmen and two education contractors. Now do you recall hearing anything about the case?
- b. If participants did not recall the incident with the first prompt (Q8), then they were given the second prompt (Q9). Those who said “no” to both prompts were classed as having no familiarity.
 - i. In the PR venue, 74.5% of the respondents acknowledged familiarity with the case on the first prompt. In MABD, the percentage was much lower, only 22.1%.
 - ii. Focusing on the 77 respondents in PR who were not familiar with the case initially, 40.3% acknowledged familiarity on the second prompt. In MABD, of the 236 participants who did not recall the incident with the first prompt, only 16.1% recalled the case even after hearing the second prompt.
- c. Combining responses to these two prompts, in the two venues the numbers and percentages of those possessing some pre-existing familiarity with the case were as follows:

	PR Percentage (Count)	MABD Percentage (Count)
Familiar	84.8% (256)	34.7% (105)
Not familiar	15.2% (46)	65.3% (198)
Totals	302	303

- d. The 244 people (46 in PR + 198 in MABD) who said they were not familiar with the case after these two prompts answered no further questions on the case, so as to avoid providing anyone with information he or she did not already possess.
- e. As the table shows, in PR people were about two and one-half times more likely to report some familiarity with the case as compared to the people in the MABD. This difference between the two venues was statistically significant. (Statistical significance in this context means that there is a greater than 95% probability that the difference found was not due to chance.)
- f. Respondents were also asked whether they could name the former Puerto Rico Secretary of Education who is a defendant in this case. (Q11. Do you recall the former Puerto Rico Secretary of Education's name? If so, what is it?) 160 individuals from the PR sample (62.5% of those familiar with the case) were able to give Julia Keleher's name whereas only 4 individuals from MABD (3.8% of those familiar with the case) were able to do so.

- i. The large proportion of the PR sample who were able to give this defendant's name is particularly striking and indicative of extensive exposure to pre-trial publicity as the question pertaining to this topic gave no prompts and required the individual to rely on free recall. Free recall is a much weaker form of memory than, for example, prompted recognition. If the interview had provided this defendant's name among a list of other names and asked respondents which name they recognized as being a defendant in this case, this prompted recall would have been even higher.
 - ii. But here, as elsewhere in the survey, care was taken so as not to provide respondents with any information they did not already possess.
- g. After being asked for Julia Keleher's name, the participants were also asked if they recalled the names of any of the codefendants in the case. (Q12. Separate from the former Puerto Rico Secretary of Education, do you remember the names of any other defendants?) If the respondent answered "yes", he or she was then asked to give the names of all the other defendants' names that he or she could remember. Twenty individuals from the PR sample (9.8% of those familiar with the case) were able to provide the name of at least one other codefendant whereas only one person from the MABD sample (1.0% of those familiar with the case) was able to do so. This difference was statistically significant.

32. Exposure to pre-trial publicity.

a. In order to gauge whether there were differences between the two venues in the extent of publicity about the case, respondents were asked the following questions:

- i. Q14. Have you seen TV reports about this case?
- ii. Q15. Have you read newspaper reports about this case?
- iii. Q16. Have you listened to radio reports or radio talk shows about this case?
- iv. Q17. Have you read reports or discussions on the Internet about this case?
- v. Q18. Have you had conversations with others about this case?
- vi. Q19. Have you heard or seen anything about this case from any other source?
- vii. For each of the above questions, the following response options were offered: “Yes, a lot,” “Yes, some,” “Yes, one or two,” “No, none at all”, “Don’t know.”

b. The following table shows how many respondents in each venue had seen or heard at least one television report, one newspaper article, one radio report, one internet report or had one conversation with others about the case, or were exposed to the case by “any other source” as compared to those who either denied such exposure or were not familiar with the case at all:

Exposure source	PR Percentage (Count)	MABD Percentage (Count)
Television	68.2% (206)	21.5% (65)
Newspapers	55.3% (167)	14.2% (43)
Radio	55.0% (166)	12.5% (38)
Internet	55.0% (166)	16.8% (51)
Conversations	57.9% (175)	9.6% (29)
Other Source	10.6% (32)	2.0% (6)

- c. In all exposure categories, the differences between the two venues were statistically significant. In terms of the raw counts, over three times as many PR residents reported having seen a television story on the case as compared to MABD residents (206 vs. 65). For newspaper reports and radio, the ratio was even higher than for television, about 4 to 1 (167 vs. 43, and 166 to 38), respectively. For internet, the ratio was about 3 to 1 (166 vs. 51). Regarding having had discussions with others about the case, about six times as many PR residents reported having had a conversation of this nature (175 vs. 29).
- d. The difference between the two venues for all exposure categories was also statistically significant even when eliminating from the analysis those

respondents who were not familiar with the case at all. This indicates that not only are many more people familiar with this case in PR, as compared with MABD, but among those who are familiar with the case in the two venues, individuals from PR have been exposed to significantly more pre-trial publicity.

33. Presumptions of guilt.

- a. Participants who expressed some degree of familiarity with the case were asked Q20, “Based on what you know about this case, do you feel that the defendants in this case are... ‘Definitely guilty,’ ‘Probably guilty,’ ‘Probably not guilty,’ ‘Definitely not guilty,’ or ‘Don’t know?’” The following table summarizes these results for the entire sample. It includes both the respondents who answered this question and the respondents who were not asked this question because on earlier questions they reported having no familiarity with the case:

The defendants in this case are...	PR Percentage (Count)	MABD Percentage (Count)
Definitely or probably guilty	65.2% (197)	22.1% (67)
Not guilty or don’t know	19.5% (59)	12.5% (38)
Unfamiliar with case	15.2% (46)	65.3% (198)
Totals	302	303

- b. The results show that the respondents from the PR venue were nearly three times more likely than the MABD participants to be familiar with the case

and to presume that the defendants were guilty, 65.2% of the total PR sample as compared with 22.1% of the MABD sample. This difference was statistically significant.

- i. Looking just at those who were familiar with the case, (a much smaller proportion of the MABD sample than of the PR sample), the PR respondents were also significantly more likely to believe that the defendants were guilty, 77.0% versus 63.8% for the MABD respondents. When examining how sure the respondents were in their decisions regarding the defendants' likely guilt or innocence, the results were particularly noteworthy. Among those who answered Q20, 40.2% of PR survey participants thought that the defendants were definitely guilty as compared with 12.4% of MABD respondents. This result indicates that not only have many Puerto Ricans been influenced by pre-trial publicity so that they presume the defendants are guilty, but that they have been impacted to such an extent that they report they have definitively made up their minds about this case.
- c. Related to the question of guilt or innocence, respondents were also asked, Q22, "Based on what you know about this case, how much evidence would you say there is against the defendants?" Response options included, "A lot," "Some," "A little," "None", or "Don't know".
- d. The difference between the venues for the responses to this question was also statistically significant.

How much evidence...?	PR Percentage (Count)	MABD Percentage (Count)
A lot	45.7% (117)	28.6% (30)
Some	27.3% (70)	29.5% (31)
A little, none, don't know	27.0% (69)	41.9% (44)
Totals	256	105

- i. These results indicate that, based on what they have already heard or seen, nearly three-quarters (73.0%) of the PR participants familiar with the case think there is a substantial amount (“lot” or “some” response on Q22) of evidence against the defendants. Also, while slightly fewer than one-half (45.7%) of the PR respondents felt there is “a lot” of evidence against the defendants, less than one-third (28.6%) of the MABD respondents did so. While in between one-half and one-third of the MABD respondents (41.9%) felt there was little or no evidence, or were not sure, only about one-quarter (27.0%) of the PR respondents felt the same.
- e. Not only did about three-quarters (73.0%) of the PR respondents feel there was “a lot” or “some” evidence against the defendants, many individuals in this venue also recalled specifics that was unfavorable to the defense. The respondents in each venue who indicated that they thought that the defendants were definitely or probably guilty were asked as follow-ups,

Q23, “Please give me examples of information you’ve read about or heard about that makes you think the defendants probably committed a crime” and Q24, “Can you please give me another example.”

- f. The information remembered by many of the PR respondents had a high degree of specificity and covered varied aspects of the case including, but not limited to: 1) the fact that the defendants were charged by the federal government; 2) the fact that the defendants were accused of fraud and money laundering in relation to the misuse of government funds that were to be spent on education and health care; 3) the fraud allegedly involved the awarding of government contracts to political friends and 4) the alleged crimes are part of an ongoing history of corruption within the government. The fact that respondents in PR were able to bring up so many case specifics is particularly telling as they were relying on their free recall memory rather than being given a list of case facts and asked if they recognized them. Examples of the responses to Q23 and Q24 by members of the PR sample covering various aspects of the case include:

- i. “If the federal government is involved, I am pretty sure the charges have foundation.”
- ii. “These people were hiding in USA after working in Puerto Rico government. USA government stops aids [sic] to PR education due to information that the FBI have [sic] of all the corruption of how these people manage the monies of that department.”

- iii. “I do not know the details but when the federal government is investigating a department, there is always a good reason for it. Corruption has happened in that department.”
- iv. From what I read, they have a lot of incriminating information and the information is coming from the national government and not the local.”
- v. “I don’t think the federal government wouldn’t have arrested them without probable cause.”
- vi. “In base [sic] of the information that I remember, I know that two of the defendants committed electronic fraud and conspiracy to commit it. Also, the ex-director of the Health Administration of Insurance as known in Spanish (ASES) conspired to make the three schemes of fraud that reach the \$15.5 million.”
- vii. “Use the position of public officials within the government for beneficiaries and enrich themselves through fraud and theft of government funds.”
- viii. “Money laundering, ghost employment, benefits in contracts.”
- ix. “Stole millions of funds of education. Closes about 400 public schools because there weren’t any ‘funds’ yet she was stealing these funds and giving high paying projects and positions to friends.”
- x. “She was related to one of the companies contracted. She started to contract companies from the company she worked at or had

links [to]. She embezzled millions and she was getting paid more than any other directors in Puerto Rico. She was getting more than a million dollars a year.”

- xi. “I heard that the former Secretary of Education misused the money giving illegal contracts and closing the schools to give the properties to her political friends.”
 - xii. “The whole scheme is reminiscent of the same things government officials have been accused of for years. This contractors’ situation is not new, and the Department of Education is no stranger to corruption. I find the allegations quite credible.”
 - xiii. “They steered away federal funds to award their preferred private contractors. This [has] happened many times before and they’ve been found guilty almost every time if not all.”
 - xiv. “It’s a constant situation in Puerto Rico. Constant corruptions...There is enough evidence that will show there has been corruption with this department...This has been a constant crime. It’s been going on for so many years in Puerto Rico.”
 - xv. “This issue is not an isolated one. For many years, people have suspected that Julia Keleher and her cohorts are corrupt. In the past, she has been criticized for making suspicious purchases form private companies.”
- g. Many responses to Q23 and Q24 specifically referenced the publicity surrounding this case. For example:

- i. “Some of the contracts were made public by the media in an investigation on TV.”
- ii. “In Facebook, it circulated that the ex-Secretary of Education department are [sic] accused of committing fraud and money laundering with educational federal funds.”
- iii. “I read on Facebook that the former Secretary of Education was using the education funds to make illegal contracts for her benefit and her friend’s benefit.”
- iv. “News reports and interviews with representatives from all parties, criticizing the defendants.”
- v. There is such a mess on the island and what comes out in the television and newspaper is not good for her.”
- vi. “I mean I’ve heard some talk shows talking about how they managed their finances and all that stuff. In the case of the Secretary of Education, we’ve been hearing a lot around here about how she’s closing schools and how she’s handling the Department. People are not happy with it.”
- vii. “The reports mentioned that they didn’t use the proper channels for bidding. Favoritism is how they have been conducting the job.”
- viii. “From what I hear from my daughter and people in education makes me think they are guilty.”

34. Emotional reactions to the case.

- a. Two survey questions probed respondents’ emotional reactions to the case.

- b. One question was asked in a closed-ended manner, Q26., “How much, if any, anger or hostility would you say there is in your community towards these defendants.” The table below gives the results.

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How much, if any, anger or hostility...?	PR Percentage (Count)	MABD Percentage (Count)
A lot	68.8% (176)	13.3% (14)
Some	16.0% (41)	22.9% (24)
A little, none	7.0% (18)	36.1% (38)
Don't know	8.2% (21)	27.6% (29)
Totals	256	105

- c. A great deal of anger was reported in the PR venue with 68.8% of those familiar with the case saying “a lot” as opposed to 13.3% in the MABD. This difference was significant and represents over five times as many PR participants familiar with the case, as compared with MABD participants, reporting “a lot” of anger or hostility in their community towards the defendants in this case.
- d. The other question regarding emotional reactions to the case was asked in an open-ended fashion, Q25, “In a few words, how would you describe your feelings about this case and the defendants?”
- e. Again, the responses revealed a high degree of anger existing among potential jurors in the PR venue. There were many comments in which PR respondents indicated that they were particularly angered and upset because the defendants’ alleged criminal conduct had hurt the education of

children in Puerto Rico. Examples of this type of negative response included:

- i. “[I am] really angry. I have two special needs children under the Department of Education in seventh grade. I know firsthand the kinds of bias, discrimination, and neglect these children are submitted to, all in part to the likes of Victor Fajardo and Julia Keleher.”
- ii. “I feel angry, while students in Puerto Rico do not have a good education system, they come to steal the money of our kids.”
- iii. “This is shameful. These people were in positions to try to improve the educational system but instead helped themselves to filling their pockets and negatively affecting our children.”
- iv. “It is a misfortune because they’re always putting their hands in the pockets of the poor people and the children suffer.”
- v. “Sad, embarrassing, and pitiful. This is not the first time this abuse has been committed against our children.”
- vi. “Not good because they’re playing with our education. It’s not good for the children. In the news they said she did a bad job. We have kids here and we want their education to be a priority. They said on the news she didn’t work for their needs.”
- vii. “I was a public school student; I didn’t have to pay for my education. I was so proud of the education system here. For the poor people now, education is a disaster. A complete disaster.

The people did not deserve that. I don't know what they wanted to do but they destroyed one of our best assets.”

- f. Other comments by respondents indicated that there is a great deal of anger toward the defendants based on the idea that they are part of widespread corruption existing in Puerto Rico's government:
- i. “I think that these people stole money from the people of Puerto Rico because they only want to help themselves in these positions of power.”
 - ii. “I am angered by all the wrong choices that the government does that affect citizens.”
 - iii. “It makes me angry that people like this are in the government.”
 - iv. “I am disappointed by the misconduct of our public servants as the Secretary of Education. We trust them and they let us down and take our money to their particular use and benefit.”
 - v. “The Puerto Rican political system has been so plagued with corruption in the past decades that it does not surprise me that they are guilty.”
 - vi. “I am disappointed with our public servants who cannot seem to be able to serve the public, but only end up looking out for themselves.”
 - vii. “I think they are a bunch of crooks and I don't trust any local government officials. They are very corrupt individuals.”

viii. “It is time to clean house as the people of our country cleaned ‘La Fortaleza.’ They contracted Julia and failed. Now everybody is going to be alert about those kind of people. We are watching them.”

g. Other comments from PR respondents regarding feelings about the case revealed a widespread sentiment existing in the jury pool that the defendants by their actions had hurt the image of Puerto Rico and brought shame upon the island:

- i. “I feel bad because it makes my country look bad and corrupt. It’s embarrassing.”
- ii. “I feel ashamed of them and of the system.”
- iii. I feel ashamed because the important higher level agency chief of education has discredited us.”
- iv. “It really makes me feel embarrassed to be Puerto Rican because every politician only thinks for themselves. And that person that is not from here trying to benefit from us is the worst.”
- v. “Outrageous, ruins and affects not only the image of the government of Puerto Rico but also the sending of federal funds have now included a federal monitor to handle them...”

35. Case-relevant attitudes

- a. In order to examine the extent of bias held by potential jurors regarding case-relevant topics, the survey asked the entire sample in both venues their opinion regarding: 1) the level of corruption among Puerto Rican

public officials; 2) if a person who served with Governor Rossello was more likely to commit a crime than other officials; and 3) if private companies that have contracts with a Puerto Rican governmental department are likely to have obtained the contract through some form of corruption.

- b. The survey question pertaining to corruption among Puerto Rican officials read, Q27, “Do you think most public officials in Puerto Rico are somewhat corrupt?” Response options included, “Definitely yes”, “Probably yes”, “Probably no”, “Definitely no”, and “Don’t know.”

...are somewhat corrupt?	PR Percentage (Count)	MABD Percentage (Count)
Definitely or probably yes	79.8% (241)	42.9% (130)
Definitely or probably no	12.9% (39)	24.4% (74)
Don’t know	7.3% (22)	32.7% (99)
Totals	302	303

- i. About four-fifths (79.8%) of the PR sample, as compared with fewer than one-half (42.9%) of MABD survey participants, thought that most public officials in Puerto Rico are somewhat corrupt. This difference was statistically significant.
- c. The survey question regarding former Governor Rossello stated, Q28, “Would a person who served with former Governor Rossello be more

likely to commit a crime than other officials?” Response choices included, “Definitely yes”, “Probably yes”, “Probably no”, “Definitely no”, and “Don’t know.”

...than other officials?	PR Percentage (Count)	MABD Percentage (Count)
Definitely or probably yes	67.5% (204)	32.7% (99)
Definitely or probably no	15.2% (46)	18.8% (57)
Don’t know	17.2% (52)	48.5% (147)
Totals	302	303

- i. About two-thirds (67.5%) of PR respondents believed that a person who served with former Governor Rossello was more likely to commit a crime than other officials. Only about one-third (32.7%) of MABD participants held this belief. This difference in attitude between the two venues was statistically significant.
- d. The survey also covered the topic of private companies that have contracts with Puerto Rican departments. Q29 asked, “If a private company has a contract with a Puerto Rican government department or office, how likely is it that the contract was obtained through some form of corruption?” Response choices included, “Certain”, “Likely”, “Unlikely”, and “Don’t know.”

...through some form of corruption?	PR Percentage (Count)	MABD Percentage (Count)
Certain	21.2% (64)	8.6% (26)
Likely	49.7% (150)	38.0% (115)
Unlikely	7.3% (22)	10.6% (32)
Don't know	21.9% (66)	42.9% (130)
Totals	302	303

- i. Well over two-thirds (70.9%) of PR survey participants, as compared to less than one-half (46.5%) of MABD participants thought that it was either certain or likely that if a private company has a contract with a Puerto Rican government department or office that the contract was obtained through some form of corruption. This difference in opinion between the two samples was statistically significant.

DISCUSSION

36. An extensive body of social scientific literature has examined the effects of pre-trial publicity (PTP) in criminal trials. This literature conveys a strong consensus of opinion that such publicity seriously undermines the ability of a defendant to receive a fair trial and is poorly remedied by measures typically employed by our courts.

- a. For example, one reference work, summarizing decades of research into the effects of and remedies for pre-trial publicity concluded, “In sum, it appears that the effects of PTP can find their way into the courtroom, can survive the jury selection process, can survive the presentation of trial evidence, can endure the limiting effects of judicial instructions, and can persevere not only through deliberation, but may also actually intensify.” (Studebaker & Penrod, 2005, Pretrial publicity and its influence on juror decision making, in Brewer & Williams, Editors, *Psychology and Law*, pp. 265-266).
- b. Other recognized authorities in this realm concur, for example, Posey and Wrightsman in *Trial Consulting* (2005) write, “...the belief that voir dire is an effective remedy for the effects of pretrial publicity assumes that prospective jurors are capable of assessing their own biases and that they are willing to admit to such biases during the jury selection process. It also requires that judges and attorneys be able to identify those who should appropriately be challenged for cause. Research suggests that none of these is a safe assumption” (p. 58).
- c. Further, there is little in the research to suggest that a trial delay will ameliorate the effects of pre-trial publicity; indeed, some studies have even found that a trial continuance actually magnifies the adverse impact of emotionally-charged publicity, such as what has been seen in many of the local, PR reports on the case. Two other authorities on the subject of jury decision making, Neil Vidmar and Valerie Hans, after reviewing the

available research on trial continuances as a remedy for pre-trial publicity, conclude, "...in a high-profile case, whenever the trial eventually begins, an upsurge of renewed media coverage will likely take place, reproducing the original problem." (Vidmar & Hans, 2007, *American Juries, The Verdict*, p. 114).

- d. Shirin Bakhshay and Craig Haney, based on their content analysis of pretrial publicity in capital cases, reach a similar conclusion to other researchers in the field stating, "In light of the limitations of delay, extended voir dire, and the use of judicial admonitions, the only truly effective way to limit or eliminate the potentially prejudicial effects of pretrial publicity is to avoid it altogether – that is, by selecting jurors from a pool of persons who have not been exposed to it." (Bakhshay & Haney, 2018, *Psychology, Public Policy and Law*, 24 (3), p. 326-340).
- e. Thus, the conclusions of these acknowledged experts on jury decision making, summarizing decades of research, offer little in the way of a reasonable prospect for reducing the threat to the defendants' rights to a fair trial using any of the measures our courts typically employ, such as: Voir dire, extended voir dire, individual voir dire, a pre-voir dire questionnaire or a trial continuance.
 - i. Additionally, the very steps that the Court would need to take during voir dire to attempt to identify juror bias would only serve to exacerbate that bias. The survey results discussed here demonstrate that familiarity with the case leads to prejudicial

attitudes against the defendants. The questioning during voir dire would serve as a prompt to either familiarize, or refamiliarize, prospective jurors with the case.

- ii. All the problems described that pose a risk for the defendants' rights to a fair trial are particularly daunting in light of the fact that the size of the jury pool will be limited by the federal jury requirement of English proficiency.

37. This survey has found a clear and extensive impact upon the jury pool's opinion of this case and the defendants as a result of pre-trial publicity.

38. In the present study, 84.8% of the PR sample was familiar with this case, about two and one-half times the level of familiarity observed in the MABD sample, where 34.7% reported familiarity with the case.

39. These differences in familiarity are also reflected in respondents' recollections about publicity. For example, in PR, 68.2% of the sample reported seeing at least one television story about the case, while in MABD only 21.5% had done so. In PR, 55.3% reported reading at least one newspaper story on the case, while in MABD only 14.2% had done so. The biggest difference in source of information between the two samples was via conversation, 57.9% of the PR respondents have talked about the case with others whereas only 9.6% of the MABD participants have discussed it. The high proportion of PR respondents who have talked about the case is concerning as it suggests: 1) the possibility of seated jurors being inadvertently influenced by others during the course of everyday conversation and

- 2) despite instructions to the contrary, seated jurors telling others about the ongoing trial either through conversation or social media.
40. This extensive publicity in PR, coming from multiple sources including television, newspaper, radio, the internet and word-of-mouth, in my opinion, has contributed to the rather large proportion of the total PR sample, nearly two-thirds (65.2%) who are familiar with the case and think the defendants are guilty. This is compared with the 22.1% of the entire MABD sample that knows about the case and thinks the defendants are guilty.
- a. The survey estimate that 65.2% of the jury pool in PR is likely to both recall the case and presume the defendants' guilt is actually a conservative estimate because voir dire itself is likely to refresh memories more than this survey attempted to do, thus bringing the proportion presuming guilt closer to what was observed in this survey among those PR respondents who did recall the case, i.e., 77.0%.
41. Of the PR respondents who reported some level of familiarity with the case, nearly three-quarters (73.0%), felt there was "a lot" or "some" evidence against the defendants. This is compared with 58.1% for the MABD survey participants. In line with decades of research, the extensive media coverage has created a strong impression of guilt in PR as compared to MABD. One also sees how deep-seated the bias is from the many respondents quoted who were able to recall specific details of the case that they felt indicated the defendants were guilty.
42. This survey also provides evidence on how the extensive pre-trial publicity about this case has led to an intensity of anger existing in Puerto Rico towards the

defendants. This is apparent from the fact that 68.8% of PR respondents familiar with the case report that there is “a lot” of anger in the community towards the defendants as compared with 13.3% for the MABD sample. The intensity of anger towards the defendants in Puerto Rico is also quite clear from the comments made by the participants in the study, some of which have been presented in this declaration.

- a. However, the numerous such comments collected in the survey represent a sort of “tip of the iceberg” of feelings about this case. It is virtually certain that as the trial approaches and publicity again increases, such feelings will rise even further in intensity and spread in extent.

43. This survey also provides evidence on how publicity on this specific case and other government corruption cases have created bias as regards the PR jury pool’s view of important case-related topics including: 1) whether most public officials in Puerto Rico are somewhat corrupt; 2) whether a person who served with former Governor Rossello would be more likely to commit a crime than other officials; and 3) whether a private company that has a contract with a Puerto Rican government department or office is likely to have obtained the contract through some form of corruption.

44. Despite all the evidence presented in this declaration regarding the bias against the defendants produced by extensive pre-trial publicity, with 15.2% of the PR sample reporting no familiarity with the case and, of those who were familiar, slightly fewer than one-quarter (23.0%) denying any presumption of guilt, it

might appear on the surface to be possible to seat an impartial jury of 12 (plus alternates) in Puerto Rico.

- a. While intuitively appealing, this assertion rests on the erroneous conflation of two distinct propositions:
 - i. First, that 12 to 16 impartial persons exist in the venue; and,
 - ii. Second, that they can be differentiated from partial ones.
- b. While the first proposition is certainly true, the second is just as certainly questionable and cannot “borrow” validity from the first.
- c. As noted above, extensive reviews of the available research by Studebaker and Penrod (2005), Posey and Wrightsman (2005), Vidmar and Hans (2007) and Bakhshay and Haney (2018) have shown that the typical measures employed by our courts to identify and isolate biased jurors in cases with this extent of pretrial publicity are inadequate.

45. In conclusion then, to a reasonable degree of scientific certainty:

- a. The studies reviewed above provide considerable evidence of a widespread bias against the defendants in PR and, relatively speaking, far less bias in the MABD; and,
- b. Of the available options typically utilized by our courts to remedy the effects of pretrial publicity, such as voir dire, a trial continuance, and instructions from the bench, only a venue transfer offers the defendants a reasonable prospect of obtaining a fair trial.

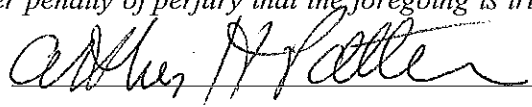
I declare under penalty of perjury that the foregoing is true and correct. Executed on, November 21, 2019. 

EXHIBIT 1 – CURRICULUM VITAE

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EDUCATION

- 1970 - 1972 Ph.D., Social Psychology
Northwestern University.
- 1968 - 1970 M.A., Psychology, Northwestern
University.
- 1966 - 1968 B.A., Psychology, Clark University.
- 1964 - 1966 California State University-Northridge.

PROFESSIONAL EXPERIENCE

- 2019- Senior Consultant, DecisionQuest
- 1998 - 2019 Senior Vice President, DecisionQuest
- 1992 - 1998 Senior Vice President, Director of Jury Analysts Group, FTI.
- 1984 - 1992 President, Jury Analysts, Inc.
- 1983 - 1988 Associate Professor of Administration of Justice, The Pennsylvania
State University.
- 1978 - 1982 Associate Professor of Environment and Behavior, The
Pennsylvania State University.
- 1972 - 1978 Assistant Professor of Man-Environment Relations, The
Pennsylvania State University.
- 1975 Visiting Assistant Professor, Program in Social Ecology,
University of California, Irvine (Summer).

PAPERS AND PRESENTATIONS

Winning at trial in trucking litigation. Presentation to Transportation Law Institute, Transportation Lawyers Association, Columbus, OH, October 2015.

How to tell who's lying. Presentation to ABA Forum on the Construction Industry, Fall Meeting, Chicago, IL, October 2014.

Jury issues in a premises liability case. Presentation to ABOTA Masters in Trial Program. Fort Lauderdale, FL, May, 2013.

The psychology of jurors. Presentation to the Hillsborough County Bar Association, Construction Law Section. Tampa, Fl, March 2013.

The psychology of settling coverage cases. ABA TIPS Insurance Coverage Litigation Committee, Annual Midyear Program, Phoenix, AZ, February, 2013.

Jury issues involving the internet. Presentation to the ABA Commission on the American Jury Project, National Symposium on the American Jury System. Chicago, IL, October, 2012.

Jurors in the internet era: the impact of the internet and social media on jury trials. Presentation to the Bar Association of San Francisco, San Francisco, CA, October 2012

Judges, arbitrators, and jurors: The psychology of modern fact finders. Presentation to the Florida Bar Association, 5th Annual Construction Law Institute, Orlando, FL, March, 2012.

The psychology of the modern fact finder. Presentation to the ABA Construction Forum, Scottsdale, AZ, April, 2011

Jurors' perceptions of economic experts. Presentation to the Second Annual Great Lakes Antitrust Institute, Columbus, OH, October 2010.

The psychology of judges, arbitrators and jurors. Presentation to the Montana State Bar, Construction Law Section, Bozeman, MT, October 2010

Jury selection. Presentation to the American Bar Association TIPS National Trial Academy, The National Judicial College, Reno, NV, April 2010.

Best practices for selecting, retaining, and working with experts in patent cases. Presentation to ABA Intellectual Property Section 25th Annual IP Law Conference, Arlington, VA, April 2010.

Presenting complex evidence. Presentation to the TIPS National Program on Emerging Issues in Premises Liability Litigation, St. Pete Beach, FL, November 2009.

Gender and the perception of experts in IP cases. Presentation to the Philadelphia Bar Association, Philadelphia, October, 2009.

The psychology of judges and jurors. Galloway Johnson Trial Academy, New Orleans, 2009.

The role of jury consulting in maximizing your client's recovery. Presentation to the Pennsylvania Bar Institute Program on Maximizing Recovery, Harrisburg, PA, July 2009.

Meeting jurors' expectations in the 21st Century. Presentation to the District of Maine Judicial Conference, Rockport, ME, October 2008.

Ethical issues in the use of demonstrative aids. Presentation to Stephen Booher Inn of Court, Fort Lauderdale, FL, October 2008.

Keeping damages down—effective trial strategies for reducing awards in dangerous cases. Presentation to DRI Employment Law Seminar, Chicago, IL, May 2008.

The use of psychology in persuading judges and juries: From jury selection through closing. Presentation to the Hillsborough County Bar Association, Tampa, FL, April 2008.

How to persuade jurors in medical malpractice cases. Presentation to ALI-ABA Litigating Medical Malpractice Claims, San Diego, CA, February 2008.

Practical aspects of jury selection. Presentation to the Osceola County Florida Bar Association, Kissimmee, FL, February 2008.

Jury trial and the construction case: jury psychology and persuasion. Presentation to the Hillsborough County Bar Association Construction Law Meeting, Tampa, FL, January 2008.

Judge and jury psychology. Presentation to the Annual Meeting of the Academy of Trial Lawyers of Allegheny County, Pittsburgh, PA, October 2007.

Practical aspects of jury selection. Presentation to the Pennsylvania Bar Institute CLE Seminar, Harrisburg, PA, May 2007.

The psychology of judges and jurors in intellectual property cases. Presentation to the Pittsburgh Intellectual Property Association, Pittsburgh, PA, January 2007.

How to utilize jury research. Presentation to Morgan Lewis Continuing Education Program, Philadelphia, PA, June 2006.

Jury psychology in criminal prosecutions. Presentation to the Maine Prosecutors Association, Bar Harbor, ME, October 2005.

Jurors' attitudes in utility industry litigation. Presentation to the Edison Electric Institute Claims Committee Meeting, Albuquerque, NM, September 2005.

Medical malpractice jurors: what are they thinking? Presentation to the Florida Medical Malpractice Claims Council, Ft. Lauderdale, FL, September 2005.

Proving and rebutting damages in commercial litigation. Presentation to the Pennsylvania Bar Institute Program on Commercial Damages, Philadelphia, PA July 2005.

The psychology of jury selection. Presentation to the New Jersey Institute for Continuing Legal Education, Cherry Hill, NJ, June 2005.

The psychology of oral argument. Presentation to the Federal Circuit Bar Association Sixth Bench and Bar Conference, Colorado Springs, CO, June 2004.

The use of mock jury research in medical malpractice cases. Presentation to ALI-ABA Program: Litigating Medical Malpractice Claims, New Orleans, LA, April 2004.

Jurors' attitudes in utility cases. Presentation to Southwest Electric Exchange Meeting, Sandestin, FL, April 2004.

Jury selection issues in sexual harassment cases. Presentation to Pennsylvania Bar Institute Program: Trial of a Sexual Harassment Case, Philadelphia, PA, October 2003.

Juror attitudes in patent trials. Presentation to ALI-ABA Program: Trial of a Patent Case, Boston, MA, September 2003.

Proving and rebutting damages in commercial litigation. Presentation to the Pennsylvania Bar Institute Program on Commercial Damages, Philadelphia, PA, July 2003.

The use of mock jury research in Medical Malpractice Cases. Presentation to ALI-ABA Program: Litigating Medical Malpractice Claims, Philadelphia, PA, June 2003.

Enron, WorldCom, and jurors in accounting litigation. Presentation to the Pennsylvania Bar Institute Course: Accounting Litigation after Enron, WorldCom . . . , Philadelphia, PA, November 2002.

Jury instructions and deliberations in patent cases. Presentation to ALI-ABA Course: Trial of a Patent Case, Chicago, IL, September 2002.

The use of mock Markman Hearings as a preparation tool. Presentation to the Practising Law Institute Course: How to Prepare and Conduct Markman Hearings, New York, NY, July 2002.

Bringing your case to life: The Art and Craft of Storytelling. Presentation to the Philadelphia Volunteer Lawyers for the Arts, Philadelphia, PA, June 2002.

The use of jury focus groups in patent litigation. Presentation to the American Intellectual Property Law Association, Annual Meeting, Arlington, VA, October 2001.

Jury selection theory in age-discrimination cases. Presentation to the Pennsylvania Bar Institute Course: Trial of an Age-discrimination Case, Pittsburgh, PA, August 2001.

Jury research in a criminal antitrust case. Presentation to the Antitrust Committee of the Business Law Section of the Philadelphia Bar Association, Philadelphia, PA, June 2001.

The function and performance of juries in medical malpractice cases. Presentation to ALI-ABA Course, Litigating Malpractice Claims, New Orleans, LA, May 2001.

University on trial: Structuring and trying the case before a jury. Presentation to the National Association of College and University Attorneys (NACUA), Annual Conference, Washington, DC, June 2000.

Psychological considerations in the use and evaluation of evidence. Presentation to Toxic Torts Conference: Plaintiff, Defense and Expert Perspectives, West Palm Beach, FL, April 2000.

Getting judges and juries to understand the science in your case. Presentation to ABA Section of Litigation Products Liability Committee, Mid-year Meeting, Las Vegas, NM, February 2000.

What do jurors think of Defense Counsel? Presentation to Philadelphia Area Defense Counsel, Philadelphia, PA, January 2000.

What are patent jurors really thinking? Presentation to the New York Intellectual Property Law Association, New York, NY, November 1999.

Theme selection and jury selection: A social science perspective. Presentation to ALI-ABA Course, Litigating Medical Malpractice Claims, San Francisco, CA, November 1999.

The psychology of jurors: Their perceptions of lawyers, judges and lawsuits. Presentation to the Academy of Trial Lawyers of Allegheny County, CLE Program, Pittsburgh, PA, November 1999.

Jury selection tactics. Presentation to the Commonwealth of Pennsylvania, Office of Attorney General, 1999 Litigation Roundtable, State College, PA, October 1999.

Serving as a juror in a patent trial: What actual jurors say. Presentation to ALI-ABA Annual Course, Trial of a Patent Case, Chicago, IL, September 1999.

Trial strategy in an emotional injury case. Presentation to the Annual Psychological and Neuropsychological Injury Claims Seminar, Santa Fe, NM, August 1999.

Jurors' comprehension of scientific evidence. Presentation to the National Institute of Justice/National Science Foundation National Conference on Science and the Law, San Diego, CA, April 1999.

Mock jury research in patent cases. Presentation to ALI-ABA Annual Course: Trial of a Patent Case, Chicago, IL, September 1998.

How juries do what they do. Invited address to the First Circuit Judicial Conference, 55th Annual Meeting, Providence, RI, September 1997.

Jury attitudes and behavior. Presentation to the North American Securities Administrators, Annual Litigation Seminar, Quebec City, Canada, September 1997.

Juror attitudes in sexual harassment cases. Presentation to the Pennsylvania Bar Institute, Program on Sexual Harassment Cases, Philadelphia, PA, July 1997.

Jury consulting and the psychology of jurors. Continuing Legal Education Presentation to the U.S. Attorney's Office for the Eastern District of Pennsylvania, Lancaster, PA, June 1997.

Jury selection and voir dire. Presentation to the National Employment Lawyers' Association (NELA), Philadelphia, PA, April 1997.

Jury issues in sexual discrimination cases. Presentation to the William B. Bryant Inns of Court, Washington, DC, April 1997.

Juries: Arbiters or Arbitrary? Presentation to Cornell Journal of Law and Public Policy, 1997 Symposium, Cornell Law School, Ithaca, NY, March 1997.

Damages in commercial litigation: The jurors' perspective. Presentation to the Pennsylvania Bar Institute Program on Commercial Damages, Philadelphia, PA, January 1997.

Theme selection and jury selection. Presentation to ALI-ABA Annual Course: Litigating Medical Malpractice Claims, Chicago, IL, October 1996.

The use of technology in the courtroom from the jurors' perspective. Presentation to the Academy of Trial Lawyers of Allegheny County Program: Technology in the Courtroom, Pittsburgh, PA, June 1996.

The use of jury consultants. Presentation to the U.S. Attorney's Office, Civil Division, Washington, DC, June 1996.

Juror reaction to technology in the courtroom. Presentation to Academy of Trial Lawyers of Allegheny County Program: Technology in the Courtroom, Pittsburgh, PA, June 1996.

Jury attitudes. Presentation to the U.S. Attorney's Office for the Eastern District of Pennsylvania, CLE Program on the Courtroom of the Future, Philadelphia, PA, April 1996.

The psychology of jury selection. Presentation to the Pennsylvania Bar Institute, Personal Injury Institute, Philadelphia, PA, April 1996.

Stranger than fiction: Three real-life terrors and how to avoid them. Panel discussion presented to American Bar Association, Section of Litigation, Annual Meeting, Miami, FL, January 1996.

Learning without losing. Presentation to the Philadelphia Bar Association, 37th Annual Conference, Baltimore, MD, September 1995.

The O.J. Simpson trial: The impact on jurors' attitudes. Presentation to the Western Pennsylvania Trial Lawyers Association, Pittsburgh, PA, September 1995.

Jury psychology and the impact of computer animations. Presentation to the Philadelphia Federal Bench-Bar Conference, Philadelphia, PA, June 1995.

The psychology of jury verdicts in construction cases. Presentation to the American Institute of Architects, 34th Annual Meeting of Invited Attorneys, Newport Beach, CA, May 1995.

The psychology of jurors in punitive damages cases. Presentation to the American Conference Institute on Litigating Punitive Damages, New York, NY, May 1995.

Jury selection techniques. Presentation to the Pennsylvania Bar Institute, Personal Injury Institute, Philadelphia, PA, May 1995.

Mock juror focus groups: Understanding jury verdicts. Presentation to the Academy of Trial Lawyers of Allegheny County, Pittsburgh, PA, March 1995.

How jurors think. Presentation to Philadelphia Association of Defense Counsel, Philadelphia, PA, January 1995.

Trial theme selection. Presentation to ALI-ABA Course, Litigating Medical Malpractice Claims, Philadelphia, PA, October 1994.

Effective oral communication. Presentation to the Federal Circuit Bar Association, Annual Meeting, Washington, DC, June 1994.

Juror attitudes in the 90's. Presentation to the Pennsylvania Bar Institute, Personal Injury Institute, Philadelphia, PA, April 1994.

The use of shadow and mock juries in litigation. Presentation to the Florida Bar Association, Labor and Employment Law Section, Orlando, FL, September 1993.

The myths and misconceptions of a jury. Presentation to the American Bar Association Annual Meeting, Section of Litigation, New York, NY, August 1993.

The psychology of the jury: Science or fiction. Presentation to the Delaware Bar Association, Hershey, PA, August 1993.

Why jurors hit big trucks. Presentation to the American Bar Association, Section of Tort and Insurance Practice, Transportation Megaconference, New Orleans, LA, March 1993.

How to persuade the jury. Presentation to the American Bar Association, section on Litigation, National Institute Program: "How to Persuade the Jury," Orlando, FL, February 1993.

How to pick and keep the perfect jury. Presentation to the Trial Lawyers Association of Washington, DC, February 1993.

Jurors and corporations: Getting juror support. Presentation to the National Institute of Trial Advocacy (NITA) Program: "The Corporate Counsel's Guide to the Effective Use of Trial Counsel," Washington, DC, November 1992.

The CPA as an expert witness: What jurors think. Presentation to the Illinois CPA Foundation Annual Litigation Services Conference, Chicago, IL, November 1992.

The mechanics of jury research. Presentation to the National Institute of Trial Advocacy (NITA), Advanced Trial Advocacy Program, Washington, DC, October 1992.

The psychology of the jury. Presentation to Washington, D.C. Bar, Section on Labor Relations and Injury to Persons and Property, Washington, DC, April 1992.

Applications of jury psychology. Presentation to the New York District Attorneys, Manhattan Division, New York, April 1992.

Jury selection in the defense of sex crimes. Presentation to the Pennsylvania Association of Criminal Defense Lawyers, State College, PA, April 1992.

How to persuade the jury. Presentation to the American Bar Association, Section on Litigation, National Institute Program, "How to Persuade the Jury," Washington, DC, March 1992.

Voir dire in a business jury trial. Presentation to the American Bar Association, Section of Litigation, National Institute Program: "How to Win a Business Jury Trial," Boston, MA, November 1991.

What is jury research? Presented to the National Institute for Trial Advocacy (NITA), Master Advocate's Program, Washington, DC, October 1991.

How to persuade the jury. Presentation to the American Bar Association Annual Meeting, Section of Litigation, Atlanta, GA, August 1991.

Jurors' perceptions of corporate litigation over the sale of a business. Presentation to Price Waterhouse symposium on Acquisitions, Divestitures and Lawsuits, Chicago, IL, April 1991.

The use, misuse and abuse of expert witnesses: Dealing with experts from discovery through summation. Continuing Legal Education Satellite Network (CLESN) seminar faculty member, Washington, DC, February 1991.

Trial simulations and jury psychology. Presentation to the Columbus Bar Association, Program on Trial Simulations, Columbus, OH, December 1990.

Using jury psychology to win a business jury trial. Presentation to the American Bar Association, Section of Litigation, National Institute Program: "How to Win a Business Jury Trial," New York, NY, November 1990.

Effective use of jury psychology. Presented to the National Institute for Trial Advocacy (NITA), Advanced Trial Advocacy Program, Washington, DC, October 1990.

The psychology of jury selection. Presentation to Dickinson School of Law, Advanced Legal Education Center, Carlisle, PA, August 1990.

Psychology of jurors. Presentation to North Carolina Bar Association, Annual Summer Trial Techniques Seminar, Myrtle Beach, SC, July 1990.

Jury issues in accountant's liability. Presentation to Practising Law Institute, Accountant's Liability Seminar, New York City, NY, July 1990.

The psychology of jurors. Presentation to the Montgomery County Trial Lawyers Association, Montgomery County, PA, April 1990.

The use of jury consultants. Presentation to the National Institute for Trial Advocacy (NITA), Advanced Trial Advocacy Program, University of Florida Law School, March 1990.

Jurors' perceptions of graphic evidence. Presentation to the Pennsylvania Bar Institute Program on Commercial Litigation: Evidentiary Issues and Remedies. Philadelphia, PA, October 1989.

Jury consultants: Use and abuse. Presentation to the National Institute for Trial Advocacy (NITA), Advanced Trial Advocacy Program, Washington, DC, October 1989.

How lawyers pick a jury: Valid and invalid approaches. Presentation to the Division of Psychology and Law, Annual Meeting of the American Psychological Association, New Orleans, LA, August 1989 (with J. Gilleland).

Picking jurors in capital cases. Presentation to the Association of Government Attorneys in Capital Litigation. New Orleans, LA, August 1989.

Use of psychologists in conducting mock trials. Dickinson School of Law, Program on Tort Law Developments, Advanced Legal Education Center, Carlisle, PA, April 1989.

The psychology of jury selection. Presentation to the National Institute for Trial Advocacy (NITA), Midwest Regional Program, Northwestern University Law School, Chicago, IL, March 1989.

What jurors think of lawyers. Presentation to the Luzerne County Bar Association Annual Meeting, Wilkes-Barre, PA, January 1989.

The psychology of juries. Presentation to the American Inns of Court Foundation, Chicago, November 1988.

Everything you ever wanted to know about juries. Presentation to the National Institute for Trial Advocacy (NITA), Advanced Trial Advocacy Program, Washington, DC, October 1988.

Jury psychology. Presentation to the Commonwealth of Pennsylvania Attorney General's Office, Torts Litigation Seminar, State College, PA, August 1988.

Tips and pointers for jury selection. Presentation to the Pennsylvania Bar Association, Young Lawyers Division, State College, PA, July 1988.

The psychology of juries and jury selection. Presentation to the Kansas District Attorneys Association, Lawrence, KS, June 1988.

Psychological considerations and applied techniques in jury selection. Presented to Connecticut State's Attorneys, Meriden, CT, June 1988.

Psychological strategies of jury selection and persuasion. Panel member, Pennsylvania Bar Association Annual Convention, Hershey, PA, May 1988.

Voir dire: Jury selection and jury psychology. Presentation to Pennsylvania Defense Institute Seminar, May 1988.

Scientific jury work in civil and criminal cases. Invited address, Pennsylvania Trial Lawyers Group, Williamsport, PA, February 1988.

The use of shadow juries and other jury research techniques. Invited address to the Philadelphia Association of Defense Counsel, Philadelphia, PA, November 1987.

Juror preconceptions and case strategy. Panel member, American Bar Association, Toxic and Environmental Torts Litigation Committee, Program on Jury Practice in Toxic Tort Cases, Houston, TX, October 1987.

Jury selection techniques. Invited address, Annual Seminar for Georgia Prosecuting Attorneys, Atlanta, GA, October 1987.

Strategic and psychological aspects of jury selection. Invited address, Association of Government Attorneys in Capital Litigation, Denver, CO, August 1987.

Prosecution of a death-penalty case in Pennsylvania: Jury psychology. Invited address, Pennsylvania District Attorneys Association, State College, PA, July 1987.

How to use jury research in trial practice. Invited address, Association of Delaware Valley Criminal Defense Lawyers, Media, PA, May 1987.

Voir Dire or Not to Voir Dire? Panel member, Pennsylvania Bar Association, Bench Bar Conference, Scranton, PA, April 1987.

The psychology of jurors. Presentation to the Bucknell University Psychology Research Colloquium, April 1987.

How to pick a jury. Panel member, Pennsylvania Bar Institute, Program on How to Pick a Jury. Philadelphia, PA, December 1986.

How to pick a jury. Panel member, Pennsylvania Bar Institute Seminar, Pittsburgh, PA, January 1987.

The psychology of juries. Invited address, Pennsylvania Bar Association, Young Lawyers Section, State College, PA, August 1986.

The elderly and the criminal justice system. Session chaired at the Academy of Criminal Justice Sciences, Orlando, FL, March 1986.

The older juror: Extent and implications. Paper presented to the Academy of Criminal Justice Sciences, Orlando, FL, March 1986.

Validating predictors of jury verdicts. Paper presented to the American Society of Criminology, San Diego, CA, November 1985.

Inside the juror's mind: A psychological approach to winning jury trials. Invited address, Philadelphia Bar Association, Bench Bar Conference, Atlantic City, NJ, September 1985.

The anatomy of a closing speech to a jury. Panel member, Philadelphia Bar Association, Bench Bar Conference, Atlantic City, NJ, September 1985.

Applying social science to jury trials. Invited address, National Chamber Center for Litigation, Washington, DC, May 1985.

The examination of expert witnesses: The juror's perspective. Invited address, Program on Examination of Expert Witnesses, Dickinson School of Law, Carlisle, PA, April 1985.

The art of jury selection. Invited address, Pennsylvania Trial Lawyers Association, Western Pennsylvania Chapter, Pittsburgh, PA, March 1985.

Social science and the courts: Some new applications. Symposium organized and chaired at the American Society of Criminology, Cincinnati, OH, November 1984.

Social psychology and juries: Implications for the trial process. Paper presented to the American Society of Criminology, Cincinnati, OH, November 1984.

Scientific jury selection: An empirical evaluation. Paper presented to the Eastern Psychological Association, Baltimore, MD, April 1984.

Scientific jury selection and environmental psychology. Colloquium presented to the City University of New York, Graduate Program in Environmental Psychology, March 1984.

Scientific juror selection: An empirical and ethical perspective. Paper presented to the American Academy of Criminal Justice Sciences, Chicago, IL, March 1984.

The legal concept of privacy: An environmental psychological perspective. Paper presented to American Psychology Law Society, Chicago, IL, March 1984.

Fear-of-Crime, environmental control, and use of public transportation by the elderly. Paper presented to the Eastern Psychological Association, Philadelphia, PA, April 1983 (with P. Ralston).

Urban environments and altered behavior: Crime and fear of crime. Workshop conducted at the Environmental Design Research Association meeting, Lincoln, NE, April 1983.

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SYMPOSIA ORGANIZED AND SESSIONS CHAIRED

Trial consultants and mental health concerns. Session chaired at the Annual Meeting of the American Society of Trial Consultants, Portland, Oregon, October 1986.

Courts and Corrections. Discussant, Academy of Criminal Justice Sciences, Chicago, March 1984.

Perceived control and the effect of the environment on the elderly. Symposium organized at the American Psychological Association, Los Angeles, August 1981.

Spatial Representation and Behavior Across the Life Span: Theory and Application. Conference organized with L. Liben and N. Newcombe, The Pennsylvania State University, May 1979.

Social Aggression. Session chaired at the Eastern Psychological Association, Washington, DC, April 1978.

Community and Residential Environments. Session co-chaired at the Gerontological Society Annual Meeting, San Francisco, August 1977.

Crime prevention through environmental design. Discussant, American Psychological Association, San Francisco, August 1977.

Normative and cross-cultural influences on behavior. Session chaired at the American Psychological Association, Washington, DC, September 1976.

Housing and livability of tall buildings: Research needs. Session chaired at the American Institute of Architects Conference on Human Response to Tall Buildings, Chicago, July 1975.

Social control and social change. Symposium organized and chaired at the Environmental Design Research Association, Meeting (EDRA), Lawrence, April 1975.

Research on environment and behavior. Meeting organized and chaired at the Midwestern Psychological Association, Chicago, May 1975.

The prevention of crime through architectural design. Symposium organized and chaired at the American Psychological Association, New Orleans, August 1974.

REVIEWING AND EDITING

Federal Judicial Center (Reference Manual on Scientific Evidence)

Judicature

Journal of Personality and Social Psychology

Journal of Abnormal Psychology

Contemporary Sociology

Science

Journal of Sports Psychology

Environment and Behavior: Editorial Board

Society for the Psychology Study of Social Issues (SPSSI)

Harper and Row

Brooks/Cole

Ronald Press

W.B. Saunders, Publishing

CONSULTING

Research and strategic consulting on litigation from a social psychological perspective for over 200 law firm, governmental, and corporate clients, 1982-present.

Expert testimony and affidavits on venue and other jury issues in various State and Federal Courts, 1982-present.

Media Magic Marketing, 1981-1983. Environmental issues in marketing.

The Rand Corporation, 1978-1979. Crime prevention through environmental design.

Westinghouse Electric Corporation (National Issues Center), 1977-1978. Crime prevention through environmental design.

U.S. House Select Committee on Aging, Subcommittee on Housing, 1977-1978. Crime and the elderly.

City of Harrisburg, Department of Community Development (Planning Bureau), 1976-1977. Elderly housing.

RTKL Associates, Architects and Planners, 1975-1976. Urban pedestrian behavior.

United States Department of Labor, 1974-1975. Leisure time activities.

Washington Center for Design, 1973. Housing attitudes.

UNIVERSITY COURSES TAUGHT

Administration of Justice
Crime and the Elderly
The American Jury
Social Psychology
Introductory Psychology
Environmental Psychology
Introduction to Man-Environment Relations
Research Methods
Environments for the Elderly

EXPERT TESTIMONY

Testified as an expert on juror bias in state and Federal courts throughout the country.

HONORS, AWARDS, AND GRANTS

Commissioner, Pennsylvania Futures Commission on Justice in the 21st Century, Sponsored by the Supreme Court of Pennsylvania, 1995-1998.

Invited address, United States Chamber of Commerce, National Chamber Center for Litigation, Washington, DC, May 1985.

Andrus Foundation Grant: Barriers to Use of Public Transportation by the Elderly, 1982-1983.

U.S. Department of Transportation, University Research Office Grant: Fear of Crime and Use of Public Transportation by the Elderly, 1981-1982.

National Endowment of the Arts Graduate Internship Sponsor, 1979.

Andrus Foundation Grant: The Relationship of Crime and Fear of Crime among the Aged to Leisure Behavior and Use of Public Leisure Services (with G. Godbey), 1978-1979.

E. Marlin Butts, Guestship, Oberlin College, 1978.

Administration on Aging (HEW) Training Grant: Design, Planning, and Managing of Living Arrangements for the Elderly, 1978-1979.

Gerontological Society Summer Institute Fellowship, 1976.

Administration on Aging (HEW) Grant: Dissemination of the Results and Implications of A.O.A. funded research on the fear of crime and the environment of the elderly, 1977-1978.

N.I.M.H. Training Grant: Environmental Design and Mental Health, Acting Director, 1976-1977.

U.S. Department of Labor Contract: Work, Non-work Linkages, 1974-1975.

Environmental Policy Center Grant: Decreasing Fuel Oil Consumption Through Positive Feedback, 1973-1974.

Dissertation Year Fellow, Northwestern University, 1971-1972.

N.S.F. Trainee in Social Psychology, 1968-1971.

Honors B.A., Clark University, 1968.

Travelli Foundation Award, 1967-1968.

MAJOR MEDIA APPEARANCES

National media presentations:

The Today Show, National Broadcasting Company (NBC);
Cable Network News (CNN);
National Education Television (WPSX);
National Public Radio (NPR Morning Edition);
Larry King Show, Mutual Broadcasting (National Radio);
Sunday Today, National Broadcasting Company (NBC).
MSNBC (Debra Norville Show)
CNNfn

EXHIBIT 2 – SURVEY INSTRUMENTS

CHANGE OF VENUE TELEPHONE STUDY – PUERTO RICO

Hello, I'm _____ of a national research company. We are not selling anything or trying to place you on any sort of mailing list. We are doing a brief survey of people's opinions on local issues. All your responses will be kept confidential.

Would you be willing to spare a few minutes to answer some questions? The interview won't take very long, and we'd really appreciate your opinion.

Q1. Are you a United States citizen who is 18 years of age or older?

Yes	1
No	2 [TERMINATE]
[DON'T READ] Refused/don't know	99 [TERMINATE]

Q2. Where has your primary residence been for the past year?

Commonwealth of Puerto Rico	1
Continental United States	2 [TERMINATE]
Another place	3 [TERMINATE]
[DON'T READ] Refused/don't know	99 [TERMINATE]

Q3. How well do you read, write, speak, and understand English?

Native English speaker	1
Very well	2
Well	3
Not that well	4 [TERMINATE]
Only a little bit	5 [TERMINATE]
I do not understand English	6 [TERMINATE]
[DON'T READ] Refused/don't know	99 [TERMINATE]

Q4. Are you registered to vote in Puerto Rico?

Yes	1
No	2 [TERMINATE]
[DON'T READ] Refused/don't know	99 [TERMINATE]

Q5. Do you or any member of your immediate family or close personal friend work as a public

official or work for a public official?

Yes	1 [TERMINATE]
No	2
[DON'T READ] Refused/don't know	99 [TERMINATE]

Q6. [READ]: Are you, or any of your immediate family members or close personal friends employed by or have any affiliation with any of the following:

- Q6a. The court system (e.g., attorneys, paralegals, legal secretaries, administrators at law firms, judges, marshals, bailiffs, court clerks, court reporters, all other court employees)?

Yes	1 [TERMINATE]
No	2
[DON'T READ] Refused/don't know	99 [TERMINATE]

- Q6b. Law enforcement agencies (the FBI, the municipal and state police, the jail system, the Department of Justice, the U.S. Attorney)?

Yes	1 [TERMINATE]
No	2
[DON'T READ] Refused/don't know	99 [TERMINATE]

- Q6c. The media (e.g., journalists, reporters, writers for any kind of media, administrators of TV, radio, or newspaper companies, any TV or radio employee, public relations)?

Yes	1 [TERMINATE]
No	2
[DON'T READ] Refused/don't know	99 [TERMINATE]

Q7. Are you a non-volunteer firefighter or an active duty member of the U.S. Armed forces?

Yes	1 [TERMINATE]
No	2
[DON'T READ] Refused/don't know	99 [TERMINATE]

Q7b. Have you taken part in a survey in the last two weeks?

Yes	1 [TERMINATE]
No	2
[DON'T READ] Refused/don't know	99 [TERMINATE]

Q8. Do you recall reading or hearing anything about the former Puerto Rico Secretary of Education and other individuals whom have been accused of misconduct?

Yes	1 [SKIP TO Q10]
No	2
Don't know	99

Q9. According to news reports, the former Puerto Rico Secretary of Education and the former Puerto Rico Health Insurance Administration head are accused by the federal government of multiple crimes for illegally steering federal money to unqualified, politically connected contractors. Their co-defendants include two businessmen and two education contractors. Now do you recall hearing anything about this case?

Yes	1 [SKIP TO Q11]
No	2 [SKIP TO Q27]
Don't know	99 [SKIP TO Q27]

Q10. **[THERE IS NO QUESTION FOR THE RESPONDENT TO ANSWER BUT READ HIM OR HER THE FOLLOWING TEXT:]** As you may recall, the former Puerto Rico Secretary of Education and the former Puerto Rico Health Insurance Administration head are accused by the federal government of multiple crimes for illegally steering federal money to unqualified, politically connected contractors. Their co-defendants include two businessmen and two education contractors.

Q11. Do you recall the former Puerto Rico Secretary of Education's name? If so, what is it?

[Respondent must mention at least the last name to be coded a "1."]

Respondent names Julia Keleher	1
Respondent is unable to give the name	2

Q12. Separate from the former Puerto Rico Secretary of Education, do you remember the names of any other defendants?

Yes	1
No	2 [SKIP TO Q14]
Don't know	99 [SKIP TO Q14]

Q13. Please tell me all of the other defendants' names that you can remember. **[ENTER ALL THE NAMES THE RESPONDENT REMEMBERS. THERE CAN BE MULTIPLE ENTRIES. THE RESPONDENT MUST MENTION AT LEAST THE LAST NAME FOR THE NAME TO BE ENTERED.]**

Angela "Angie" Avila-Marrero	1
Alberto Velazquez-Pinol	2
Fernando Scherrer-Caillet	3
Glenda Ponce-Mendoza	4
Mayra Ponce-Mendoza	5
Remembered no additional names	6

Q14. Have you seen TV reports about this case?

Yes, a lot	1
Yes, some	2
Yes, one or two	3
No, none at all	4
Don't know	99

Q15. Have you read newspaper reports about this case?

Yes, a lot	1
Yes, some	2
Yes, one or two	3
No, none at all	4
Don't know	99

Q16. Have you listened to radio reports or radio talk shows about this case?

Yes, a lot	1
Yes, some	2
Yes, one or two	3
No, none at all	4
Don't know	99

Q17. Have you read reports or discussions on the Internet about this case?

Yes, a lot	1
Yes, some	2
Yes, one or two	3
No, none at all	4
Don't know	99

Q18. Have you had conversations with others about this case?

Yes, a lot	1
Yes, some	2
Yes, one or two	3
No, none at all	4
Don't know	99

Q19. Have you heard or seen anything about this case from any other source?

Yes	1 [IF YES, ASK "FROM WHAT SOURCE?" AND ENTER HIS OR HER RESPONSE.]
No	2
Don't know	99

Q20. Based on what you know about this case, do you feel that the defendants in this case are...[PROGRAMMER'S NOTE: RANDOMIZE RESPONSE ORDER, 1 TO 4 AND 4 TO

1, KEEP 99 AT END.]

Definitely guilty	1
Probably guilty	2
Probably not guilty	3
Definitely not guilty	4
Don't know	99

Q21. [PROGRAMMER'S NOTE: RECORD GUILTY/NOT GUILTY ORDER. DO NOT READ CHOICES.]

Definitely guilty first	1
Definitely not guilty first	2

Q22. Based on what you know about this case, how much evidence would you say there is against the defendants?

A lot	1
Some	2
A little	3
None	4
Don't know	99

[IF "DEFINITELY NOT GUILTY" OR "PROBABLY NOT GUILTY" OR "DON'T KNOW" TO Q20, SKIP Q23 AND Q24.]

Q23. Please give me examples of information you've read about or heard about that makes you think the defendants probably committed a crime.

[MAKE SURE THE RESPONDENT ANSWERS THE QUESTION!]

[RECORD VERBATIM RESPONSE]

Q24. Can you give me another example?

[RECORD VERBATIM RESPONSE]

Q25. In a few words, how would you describe your feelings about this case and the defendants?

[RECORD VERBATIM RESPONSE]

Q26. How much, if any, anger, would you say there is in your community towards these defendants?

A lot	1
Some	2
A little	3
None at all	4
Don't know	99

Q27. Do you think most public officials in Puerto Rico are somewhat corrupt?

Definitely yes	1
Probably yes	2
Probably no	3
Definitely no	4
Don't know	99

Q28. Would a person who served with former Governor Rossello be more likely to commit a crime than other officials?

Definitely yes	1
Probably yes	2
Probably no	3
Definitely no	4
Don't know	99

Q29. If a private company has a contract with a Puerto Rican government department or office, how likely is it that the contract was obtained through some form of corruption?

Certain	1
Likely	2
Unlikely	3
Don't know	99

Q30. What age category do you fall into?

18-24	1
25-34	2
35-44	3
45-54	4
55-64	5
65-74	6
75+	7
[DON'T READ] Refused	99

Q31. Record sex of respondent. **[BY OBSERVATION, DO NOT ASK]**

Male	1
Female	2

Q32. Record sample source. **[BY OBSERVATION, DO NOT ASK]**

Landline	1
Cell	2

CHANGE OF VENUE INTERNET STUDY – PUERTO RICO

Q1. Are you a United States citizen who is 18 years of age or older?

Yes	1
No	2 [TERMINATE]

Q2. Where has your primary residence been for the past year?

Commonwealth of Puerto Rico	1
Continental United States	2 [TERMINATE]
Another place	3 [TERMINATE]

Q3. How well do you read, write, speak, and understand English?

Native English speaker	1
Very well	2
Well	3
Not that well	4 [TERMINATE]
Only a little bit	5 [TERMINATE]
I do not understand English	6 [TERMINATE]

Q4. Are you registered to vote in Puerto Rico?

Yes	1
No	2 [TERMINATE]

Q5. Do you or any member of your immediate family or close personal friend work as a public official or work for a public official?

Yes	1 [TERMINATE]
No	2

Q6. **[READ]:** Are you, or any of your immediate family members or close personal friends employed by or have any affiliation with any of the following:

- Q6a. The court system (e.g., attorneys, paralegals, legal secretaries, administrators at law firms, judges, marshals, bailiffs, court clerks, court reporters, all other court employees)?

Yes	1 [TERMINATE]
No	2

- Q6b. Law enforcement agencies (the FBI, the municipal and state police, the jail

system, the Department of Justice, the U.S. Attorney)?

Yes 1 [TERMINATE]
 No 2

- Q6c. The media (e.g., journalists, reporters, writers for any kind of media, administrators of TV, radio, or newspaper companies, any TV or radio employee, public relations)?

Yes 1 [TERMINATE]
 No 2

Q7a. Are you a non-volunteer firefighter or an active duty member of the U.S. Armed forces?

Yes 1 [TERMINATE]
 No 2

Q7b. Have you taken part in a survey in the last two weeks?

Yes 1 [TERMINATE]
 No 2

Q8. Do you recall reading or hearing anything about the former Puerto Rico Secretary of Education and other individuals whom have been accused of misconduct?

Yes 1 [SKIP TO Q10]
 No 2
 Don't know 99

Q9. According to news reports, the former Puerto Rico Secretary of Education and the former Puerto Rico Health Insurance Administration head are accused by the federal government of multiple crimes for illegally steering federal money to unqualified, politically connected contractors. Their co-defendants include two businessmen and two education contractors. Now do you recall hearing anything about this case?

Yes 1 [SKIP TO Q11]
 No 2 [SKIP TO Q27]
 Don't know 99 [SKIP TO Q27]

Q10. As you may recall, the former Puerto Rico Secretary of Education and the former Puerto Rico Health Insurance Administration head are accused by the federal government of multiple crimes for illegally steering federal money to unqualified, politically connected contractors. Their co-defendants include two businessmen and two education contractors.

Q11. Do you recall the former Puerto Rico Secretary of Education's name? If so, what is it?
[RESPONDENT ENTERS NAME.]

Q12. Separate from the former Puerto Rico Secretary of Education, do you remember the names of any other defendants?

Yes	1
No	2 [SKIP TO Q14]
Don't know	99 [SKIP TO Q14]

Q13. Please type in all of the other defendants' names that you can remember. **[THE RESPONDENT ENTERS ALL OF THE NAMES HE OR SHE REMEMBERS.]**

Q14. Have you seen TV reports about this case?

Yes, a lot	1
Yes, some	2
Yes, one or two	3
No, none at all	4
Don't know	99

Q15. Have you read newspaper reports about this case?

Yes, a lot	1
Yes, some	2
Yes, one or two	3
No, none at all	4
Don't know	99

Q16. Have you listened to radio reports or radio talk shows about this case?

Yes, a lot	1
Yes, some	2
Yes, one or two	3
No, none at all	4
Don't know	99

Q17. Have you read reports or discussions on the Internet about this case?

Yes, a lot	1
Yes, some	2
Yes, one or two	3
No, none at all	4
Don't know	99

Q18. Have you had conversations with others about this case?

Yes, a lot	1
Yes, some	2
Yes, one or two	3

No, none at all 4
Don't know 99

Q19. Have you heard or seen anything about this case from any other source?

Yes 1 [IF YES, ASK "FROM WHAT SOURCE?" AND HAVE THE RESPONDENT ENTER THE SOURCE.]
No 2
Don't know 99

Q20. Based on what you know about this case, do you feel that the defendants in this case are...[PROGRAMMER'S NOTE: RANDOMIZE RESPONSE ORDER, 1 TO 4 AND 4 TO 1, KEEP 99 AT END.]

Definitely guilty 1
Probably guilty 2
Probably not guilty 3
Definitely not guilty 4
Don't know 99

Q21. [HAVE PROGRAM RECORD GUILTY/NOT GUILTY ORDER. DO NOT HAVE THE TWO CHOICES BELOW SHOWN TO THE RESPONDENT.]

Definitely guilty first 1
Definitely not guilty first 2

Q22. Based on what you know about this case, how much evidence would you say there is against the defendants?

A lot 1
Some 2
A little 3
None 4
Don't know 99

[IF "DEFINITELY NOT GUILTY" OR "PROBABLY NOT GUILTY" OR "DON'T KNOW" TO Q20, SKIP Q23 AND Q24.]

Q23. Please give me examples of information you've read about or heard about that makes you think the defendants probably committed a crime.

[THE RESPONDENT SHOULD ENTER THE ANSWER.]

Q24. Can you give me another example?

[THE RESPONDENT SHOULD ENTER THE ANSWER.]

Q25. In a few words, how would you describe your feelings about this case and the defendants?

[THE RESPONDENT SHOULD ENTER THE ANSWER.]

Q26. How much, if any, anger, would you say there is in your community towards these defendants?

A lot	1
Some	2
A little	3
None at all	4
Don't know	99

Q27. Do you think most public officials in Puerto Rico are somewhat corrupt?

Definitely yes	1
Probably yes	2
Probably no	3
Definitely no	4
Don't know	99

Q28. Would a person who served with former Governor Rossello be more likely to commit a crime than other officials?

Definitely yes	1
Probably yes	2
Probably no	3
Definitely no	4
Don't know	99

Q29. If a private company has a contract with a Puerto Rican government department or office, how likely is it that the contract was obtained through some form of corruption?

Certain	1
Likely	2
Unlikely	3
Don't know	99

Q30. What age category do you fall into?

18-24	1
25-34	2
35-44	3
45-54	4
55-64	5
65-74	6
75+	7
[DON'T READ] Refused	99

Q31. What is your gender?

Male	1
Female	2

**CHANGE OF VENUE TELEPHONE STUDY – DISTRICT OF MASSACHUSETTS,
BOSTON DIVISION**

Hello, I'm _____ of a national research company. We are not selling anything or trying to place you on any sort of mailing list. We are doing a brief survey of people's opinions on local issues. All your responses will be kept confidential.

Would you be willing to spare a few minutes to answer some questions? The interview won't take very long, and we'd really appreciate your opinion.

Q1. Are you a United States citizen who is 18 years of age or older?

Yes	1
No	2 [TERMINATE]
[DON'T READ] Refused/don't know	99 [TERMINATE]

Q2. What county do you live in?

Bristol	1
Essex	2
Middlesex	3
Norfolk	4
Plymouth	5
Suffolk	6
Another county	7 [TERMINATE]
[DON'T READ] Refused/don't know	99 [TERMINATE]

Q3. Do you have a Massachusetts motor vehicle license or identification card?

Yes	1 [SKIP TO Q5]
No	2
[DON'T READ] Refused/don't know	99

Q4. Are you registered to vote in Massachusetts?

Yes	1
No	2 [TERMINATE]
[DON'T READ] Refused/don't know	99 [TERMINATE]

Q5. [READ]: Are you, or any of your immediate family members or close personal friends employed by or have any affiliation with any of the following:

- Q5a. The court system (e.g., attorneys, paralegals, legal secretaries, administrators)

at law firms, judges, marshals, bailiffs, court clerks, court reporters, all other court employees)?

Yes	1 [TERMINATE]
No	2
[DON'T READ] Refused/don't know	99 [TERMINATE]

- Q5b. Law enforcement agencies (the FBI, the municipal and state police, the jail system, the Department of Justice, the U.S. Attorney)?

Yes	1 [TERMINATE]
No	2
[DON'T READ] Refused/don't know	99 [TERMINATE]

- Q5c. The media (e.g., journalists, reporters, writers for any kind of media, administrators of TV, radio, or newspaper companies, any TV or radio employee, public relations)?

Yes	1 [TERMINATE]
No	2
[DON'T READ] Refused/don't know	99 [TERMINATE]

Q6. Do you recall reading or hearing anything about the former Puerto Rico Secretary of Education and other individuals whom have been accused of misconduct?

Yes	1 [SKIP TO Q8]
No	2
Don't know	99

Q7. According to news reports, the former Puerto Rico Secretary of Education and the former Puerto Rico Health Insurance Administration head are accused by the federal government of multiple crimes for illegally steering federal money to unqualified, politically connected contractors. Their co-defendants include two businessmen and two education contractors. Now do you recall hearing anything about this case?

Yes	1 [SKIP TO Q9]
No	2 [SKIP TO Q25]
Don't know	99 [SKIP TO Q25]

Q8. [THERE IS NO QUESTION FOR THE RESPONDENT TO ANSWER BUT READ HIM OR HER THE FOLLOWING TEXT:] As you may recall, the former Puerto Rico Secretary of Education and the former Puerto Rico Health Insurance Administration head are accused by the federal government of multiple crimes for illegally steering federal money to unqualified, politically connected contractors. Their co-defendants include two businessmen and two education contractors.

Q9. Do you recall the former Puerto Rico Secretary of Education’s name? If so, what is it?

[Respondent must mention at least the last name to be coded a “1.”]

Respondent names Julia Keleher	1
Respondent is unable to give the name	2

Q10. Separate from the former Puerto Rico Secretary of Education, do you remember the names of any other defendants?

Yes	1
No	2 [SKIP TO Q12]
Don’t know	99 [SKIP TO Q12]

Q11. Please tell me all of the other defendants’ names that you can remember. **[ENTER ALL THE NAMES THE RESPONDENT REMEMBERS. THERE CAN BE MULTIPLE ENTRIES. THE RESPONDENT MUST MENTION AT LEAST THE LAST NAME FOR THE NAME TO BE ENTERED.]**

Angela “Angie” Avila-Marrero	1
Alberto Velazquez-Pinol	2
Fernando Scherrer-Caillet	3
Glenda Ponce-Mendoza	4
Mayra Ponce-Mendoza	5
Remembered no additional names	6

Q12. Have you seen TV reports about this case?

Yes, a lot	1
Yes, some	2
Yes, one or two	3
No, none at all	4
Don’t know	99

Q13. Have you read newspaper reports about this case?

Yes, a lot	1
Yes, some	2
Yes, one or two	3
No, none at all	4
Don’t know	99

Q14. Have you listened to radio reports or radio talk shows about this case?

Yes, a lot	1
Yes, some	2
Yes, one or two	3
No, none at all	4
Don’t know	99

Q15. Have you read reports or discussions on the Internet about this case?

Yes, a lot	1
Yes, some	2
Yes, one or two	3
No, none at all	4
Don't know	99

Q16. Have you had conversations with others about this case?

Yes, a lot	1
Yes, some	2
Yes, one or two	3
No, none at all	4
Don't know	99

Q17. Have you heard or seen anything about this case from any other source?

Yes	1 [IF YES, ASK "FROM WHAT SOURCE?" AND ENTER HIS OR HER RESPONSE.]
No	2
Don't know	99

Q18. Based on what you know about this case, do you feel that the defendants in this case are...[PROGRAMMER'S NOTE: RANDOMIZE RESPONSE ORDER, 1 TO 4 AND 4 TO 1, KEEP 99 AT END.]

Definitely guilty	1
Probably guilty	2
Probably not guilty	3
Definitely not guilty	4
Don't know	99

Q19. [PROGRAMMER'S NOTE: RECORD GUILTY/NOT GUILTY ORDER. DO NOT READ CHOICES.]

Definitely guilty first	1
Definitely not guilty first	2

Q20. Based on what you know about this case, how much evidence would you say there is against the defendants?

A lot	1
Some	2
A little	3
None	4

Don't know

99

[IF "DEFINITELY NOT GUILTY" OR "PROBABLY NOT GUILTY" OR "DON'T KNOW" TO Q18, SKIP Q21 AND Q22.]

Q21. Please give me examples of information you've read about or heard about that makes you think the defendants probably committed a crime.

[MAKE SURE THE RESPONDENT ANSWERS THE QUESTION!]

[RECORD VERBATIM RESPONSE]

Q22. Can you give me another example?

[RECORD VERBATIM RESPONSE]

Q23. In a few words, how would you describe your feelings about this case and the defendants?

[RECORD VERBATIM RESPONSE]

Q24. How much, if any, anger, would you say there is in your community towards these defendants?

- A lot 1
- Some 2
- A little 3
- None at all 4
- Don't know 99

Q25. Do you think most public officials in Puerto Rico are somewhat corrupt?

- Definitely yes 1
- Probably yes 2
- Probably no 3
- Definitely no 4
- Don't know 99

Q26. Would a person who served with former Governor Rossello be more likely to commit a crime than other officials?

- Definitely yes 1
- Probably yes 2
- Probably no 3
- Definitely no 4
- Don't know 99

Q27. If a private company has a contract with a Puerto Rican government department or office, how likely is it that the contract was obtained through some form of corruption?

Certain	1
Likely	2
Unlikely	3
Don't know	99

Q28. What age category do you fall into?

18-24	1
25-34	2
35-44	3
45-54	4
55-64	5
65-74	6
75+	7
[DON'T READ] Refused	99

Q29. Record sex of respondent. **[BY OBSERVATION, DO NOT ASK]**

Male	1
Female	2

Q30. Record sample source. **[BY OBSERVATION, DO NOT ASK]**

Landline	1
Cell	2

**CHANGE OF VENUE INTERNET SURVEY – DISTRICT OF MASSACHUSETTS,
BOSTON DIVISION**

Q1. Are you a United States citizen who is 18 years of age or older?

Yes	1
No	2 [TERMINATE]

Q2. What county do you live in?

Bristol	1
Essex	2
Middlesex	3
Norfolk	4
Plymouth	5
Suffolk	6
Another county	7 [TERMINATE]

Q3. Do you have a Massachusetts motor vehicle license or identification card?

Yes	1 [SKIP TO Q5]
No	2

Q4. Are you registered to vote in Massachusetts?

Yes	1
No	2 [TERMINATE]

Q5. Are you, or any of your immediate family members or close personal friends employed by or have any affiliation with any of the following:

- Q5a. The court system (e.g., attorneys, paralegals, legal secretaries, administrators at law firms, judges, marshals, bailiffs, court clerks, court reporters, all other court employees)?

Yes	1 [TERMINATE]
No	2

- Q5b. Law enforcement agencies (the FBI, the municipal and state police, the jail system, the Department of Justice, the U.S. Attorney)?

Yes	1 [TERMINATE]
No	2

- Q5c. The media (e.g., journalists, reporters, writers for any kind of media,

administrators of TV, radio, or newspaper companies, any TV or radio employee, public relations)?

Yes 1 [TERMINATE]
No 2

Q6. Do you recall reading or hearing anything about the former Puerto Rico Secretary of Education and other individuals whom have been accused of misconduct?

Yes 1 [SKIP TO Q8]
No 2
Don't know 99

Q7. According to news reports, the former Puerto Rico Secretary of Education and the former Puerto Rico Health Insurance Administration head are accused by the federal government of multiple crimes for illegally steering federal money to unqualified, politically connected contractors. Their co-defendants include two businessmen and two education contractors. Now do you recall hearing anything about this case?

Yes 1 [SKIP TO Q9]
No 2 [SKIP TO Q25]
Don't know 99 [SKIP TO Q25]

Q8. As you may recall, the former Puerto Rico Secretary of Education and the former Puerto Rico Health Insurance Administration head are accused by the federal government of multiple crimes for illegally steering federal money to unqualified, politically connected contractors. Their co-defendants include two businessmen and two education contractors.

Q9. Do you recall the former Puerto Rico Secretary of Education's name? If so, what is it?
[RESPONDENT ENTERS NAME.]

Q10. Separate from the former Puerto Rico Secretary of Education, do you remember the names of any other defendants?

Yes 1
No 2 [SKIP TO Q12]
Don't know 99 [SKIP TO Q12]

Q11. Please type in all of the other defendants' names that you can remember. [THE RESPONDENT ENTERS ALL OF THE NAMES HE OR SHE REMEMBERS.]

Q12. Have you seen TV reports about this case?

Yes, a lot 1
Yes, some 2
Yes, one or two 3
No, none at all 4

Don't know 99

Q13. Have you read newspaper reports about this case?

Yes, a lot 1
 Yes, some 2
 Yes, one or two 3
 No, none at all 4
 Don't know 99

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Yes, a lot 1
 Yes, some 2
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Q16. Have you had conversations with others about this case?

Yes, a lot 1
 Yes, some 2
 Yes, one or two 3
 No, none at all 4
 Don't know 99

Q17. Have you heard or seen anything about this case from any other source?

Yes 1 **[IF YES, ASK "FROM WHAT SOURCE?" AND HAVE THE RESPONDENT ENTER THE SOURCE.]**
 No 2
 Don't know 99

Q18. Based on what you know about this case, do you feel that the defendants in this case are...**[PROGRAMMER'S NOTE: RANDOMIZE RESPONSE ORDER, 1 TO 4 AND 4 TO 1, KEEP 99 AT END.]**

Definitely guilty 1
 Probably guilty 2

Probably not guilty	3
Definitely not guilty	4
Don't know	99

Q19. [HAVE PROGRAM RECORD GUILTY/NOT GUILTY ORDER. DO NOT HAVE THE TWO CHOICES BELOW SHOWN TO THE RESPONDENT.]

Definitely guilty first	1
Definitely not guilty first	2

Q20. Based on what you know about this case, how much evidence would you say there is against the defendants?

A lot	1
Some	2
A little	3
None	4
Don't know	99

[IF “DEFINITELY NOT GUILTY” OR “PROBABLY NOT GUILTY” OR “DON’T KNOW” TO Q18, SKIP Q21 AND Q22.]

Q21. Please give me examples of information you’ve read about or heard about that makes you think the defendants probably committed a crime.

[THE RESPONDENT SHOULD ENTER THE ANSWER.]

Q22. Can you give me another example?

[THE RESPONDENT SHOULD ENTER THE ANSWER.]

Q23. In a few words, how would you describe your feelings about this case and the defendants?

[THE RESPONDENT SHOULD ENTER THE ANSWER.]

Q24. How much, if any, anger, would you say there is in your community towards these defendants?

A lot	1
Some	2
A little	3
None at all	4
Don't know	99

Q25. Do you think most public officials in Puerto Rico are somewhat corrupt?

Definitely yes	1
Probably yes	2
Probably no	3

Definitely no	4
Don't know	99

Q26. Would a person who served with former Governor Rossello be more likely to commit a crime than other officials?

Definitely yes	1
Probably yes	2
Probably no	3
Definitely no	4
Don't know	99

Q27. If a private company has a contract with a Puerto Rican government department or office, how likely is it that the contract was obtained through some form of corruption?

Certain	1
Likely	2
Unlikely	3
Don't know	99

Q28. What age category do you fall into?

18-24	1
25-34	2
35-44	3
45-54	4
55-64	5
65-74	6
75+	7

Q29. What is your gender?

Male	1
Female	2