

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA

v.

DONALD J. TRUMP,

Defendant.

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CRIMINAL NO. 23-cr-257 (TSC)

ORDER

Before the Court are the parties' filings regarding pretrial surveys. Participation in a pretrial survey, poll, or similar study ("jury study") increases the risk that otherwise qualified members of the jury pool will be disqualified from jury service either through participation in the jury study or through other extrajudicial knowledge concerning the facts of the case or the law to be applied. Mindful of the Court's responsibility to "take such steps by rule and regulation that will protect" pretrial and trial proceedings "from prejudicial outside interferences," *see Sheppard v. Maxwell*, 384 U.S. 333, 363 (1966), the Court orders as follows:

1. Either party must notify the Court *ex parte* before the party or any individual or entity acting at the party's direction or under the party's control undertakes any jury study in the District of Columbia.

2. Any such jury study must be completed 30 days before the start of jury selection. The notification must include (a) a brief description of the intended methodology; (b) all questions that will be asked in the pretrial survey, poll, or study; and (c) the expected number of participants.

3. The party may not begin the jury study until it is approved by the Court, and no party may use the results of any jury study unless it has been approved in advance by the Court. In order to safeguard the sanctity of the judicial system and ensure the constitutional promise of a

fair and impartial jury, the Court may require the party to edit or remove portions of the intended jury study.

4. The party or parties who commission the jury study must retain the name and address of each participant contacted. The party or parties who commissioned the survey, poll, or study shall supply the names of all participants to the Court at least two weeks prior to jury selection.

HON. TANYA S. CHUTKAN
UNITED STATES DISTRICT JUDGE