

UNITED STATES DISTRICT COURT  
(NAME OF DISTRICT)

United States :  
 :  
v. : No.  
 :  
Defendant :

SPECIAL VERDICT FORM

**SECTION I. FINDING AS TO DEFENDANT'S AGE**

Do you unanimously find that the Government has established beyond a reasonable doubt that (defendant) was eighteen years or older at the time of the offense?

YES \_\_\_\_\_

NO \_\_\_\_\_

\_\_\_\_\_

Foreperson \_\_\_\_\_

**SECTION II. MENTAL STATE ELEMENT**

For each count:

Do you, the jury, unanimously find that the Government has established beyond a reasonable doubt that (defendant):

(A) Intentionally killed (victim); or

(B) Intentionally inflicted serious bodily injury that resulted in the death of (victim); or

(C) Intentionally participated in acts, contemplating that the life of (victim) would be taken and intending that lethal force would be used in connection with (victim), a person other than one of the participants in the offense, and (victim) died as a direct result of the acts; or

(D) Intentionally and specifically engaged in acts of violence, knowing that the acts created a grave risk of death to (victim), a person other than one of the participants in the offense, such that participation in the acts constituted a reckless disregard for human life, and (victim) died as a direct result of the acts.

<b>Count One:</b>	<b>YES</b> _____	<b>NO</b> _____
<b>Count Two:</b>	<b>YES</b> _____	<b>NO</b> _____
<b>Count Five:</b>	<b>YES</b> _____	<b>NO</b> _____

\_\_\_\_\_  
Foreperson

Instructions: If you answered "NO" as to all counts, proceed directly to Section VII (cross out Sections III, IV, V, and VI of this form). Each juror should then carefully read the certification in Section VII, and sign it if the certification accurately reflects the manner in which he or she reached his or her decision. You should then advise the court that you have reached a decision.

If you answered "YES" with respect to any counts, proceed to Section III on those counts only.

**SECTION III. AGGRAVATING FACTORS: Receipt of Pecuniary Value and Substantial Planning**

For each count on which you answered "YES" in Section II:

1. Do you unanimously find that the Government has established beyond a reasonable doubt that (defendant) committed the offense as consideration for the receipt, or in the expectation of the receipt, of anything of pecuniary value?

Count One: YES \_\_\_\_\_ NO \_\_\_\_\_ Not Applicable\* \_\_\_\_\_  
Count Two: YES \_\_\_\_\_ NO \_\_\_\_\_ Not Applicable\* \_\_\_\_\_  
Count Five: YES \_\_\_\_\_ NO \_\_\_\_\_ Not Applicable\* \_\_\_\_\_

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Foreperson

**\* Not applicable if no mental state elements from Section II were proved on this count.**

2. Do you unanimously find that the Government has established beyond a reasonable doubt that (defendant) committed the offenses of which he has been convicted after substantial planning and premeditation to cause the death of a person?

Count One: YES \_\_\_\_\_ NO \_\_\_\_\_ Not Applicable\* \_\_\_\_\_  
Count Two: YES \_\_\_\_\_ NO \_\_\_\_\_ Not Applicable\* \_\_\_\_\_  
Count Five: YES \_\_\_\_\_ NO \_\_\_\_\_ Not Applicable\* \_\_\_\_\_

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Foreperson

**\* Not applicable if no mental state elements from Section II were proved on this count.**

Instructions: If you answered "NO" as to all applicable counts for both statutory aggravating factors, then proceed directly to Section VII (cross out Sections III, IV, V, and VI of this form). Each juror should then carefully read the certification in Section VIII, and sign it if the certification accurately reflects the

manner in which he or she reached his or her decision. You should then advise the court that you have reached a decision.

If you answered "YES" with respect to either of the aggravating factors, proceed to Section IV on the applicable counts.









No \_\_\_\_\_

In addition to the mitigating factors outlined above, you may write in any additional mitigating factors that any member of the jury finds. If you need additional space, write "CONTINUED" at the bottom of the page and use the back of this page.

Additional Factor Found (A) \_\_\_\_\_

\_\_\_\_\_

One or more jurors found this factor proved: Yes \_\_\_\_\_

No \_\_\_\_\_

Additional Factor Found (B) \_\_\_\_\_

\_\_\_\_\_

One or more jurors found this factor proved: Yes \_\_\_\_\_

No \_\_\_\_\_

Additional Factor Found (C) \_\_\_\_\_

\_\_\_\_\_

One or more jurors found this factor proved: Yes \_\_\_\_\_

No \_\_\_\_\_

Additional Factor Found (D) \_\_\_\_\_

\_\_\_\_\_

One or more jurors found this factor proved: Yes \_\_\_\_\_

No \_\_\_\_\_

Instructions: Go to Section V.

#### **SECTION V. WEIGHING**

Do you unanimously find beyond a reasonable doubt that the aggravating factor(s) found to exist sufficiently outweigh all of the

mitigating factors, or in the absence of mitigating factors, that the aggravating factor(s) themselves justify a sentence of death?

Count One:    YES    \_\_\_\_\_    NO    \_\_\_\_\_    Not Applicable\*    \_\_\_\_\_  
Count Two:    YES    \_\_\_\_\_    NO    \_\_\_\_\_    Not Applicable\*    \_\_\_\_\_  
Count Five:   YES    \_\_\_\_\_    NO    \_\_\_\_\_    Not Applicable\*    \_\_\_\_\_

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Foreperson

**\* Not applicable if no mental state elements from Section II were proved on this count or if neither aggravating factor in Section III was proved on this count.**

Please proceed to Section VI: Sentencing Determination.

## **Section VI. SENTENCING DETERMINATION**

The three possible sentencing determinations are found on the following pages:

**A** (p. 12) if you unanimously find that (defendant) shall be sentenced to a sentence of life imprisonment without possibility of release.

**B** (p. 13) if you unanimously find that (defendant) shall be sentenced to death.

**C** (p. 14) if you are unable to reach a unanimous decision either way. In such circumstance, the Court will impose a sentence of life imprisonment without possibility of release.

All twelve jurors must sign the section that accurately reflects the result of your deliberation.

**A. Sentence of Life In Prison Without Possibility of Release**

We determine, by unanimous vote, that (defendant) shall be sentenced to life imprisonment without possibility of release.

**Check applicable count(s):**

**Count One:** \_\_\_\_\_

**Count Two:** \_\_\_\_\_

**Count Five:** \_\_\_\_\_

**Juror Signatures:**

1. \_\_\_\_\_  
2. \_\_\_\_\_  
3. \_\_\_\_\_  
4. \_\_\_\_\_  
5. \_\_\_\_\_  
6. \_\_\_\_\_

7. \_\_\_\_\_  
8. \_\_\_\_\_  
9. \_\_\_\_\_  
10. \_\_\_\_\_  
11. \_\_\_\_\_  
12. \_\_\_\_\_

Date: \_\_\_\_\_

**B. Death Sentence**

We determine, by unanimous vote, that (defendant) shall be sentenced to death.

**Check applicable count(s):**

**Count One:** \_\_\_\_\_

**Count Two:** \_\_\_\_\_

**Count Five:** \_\_\_\_\_

**Juror Signatures:**

1. \_\_\_\_\_  
2. \_\_\_\_\_  
3. \_\_\_\_\_  
4. \_\_\_\_\_  
5. \_\_\_\_\_  
6. \_\_\_\_\_

7. \_\_\_\_\_  
8. \_\_\_\_\_  
9. \_\_\_\_\_  
10. \_\_\_\_\_  
11. \_\_\_\_\_  
12. \_\_\_\_\_

Date: \_\_\_\_\_

**C. Court-Imposed Sentence of Life in Prison Without Possibility of Release**

We, the jury, are unable to reach a unanimous verdict either in favor of a life sentence or in favor of a death sentence. We understand that the consequence of this is that (defendant) will be sentenced by the Court to life imprisonment without the possibility of release.

**Check applicable count(s):**

**Count One:** \_\_\_\_\_

**Count Two:** \_\_\_\_\_

**Count Five:** \_\_\_\_\_

**Juror Signatures:**

1. \_\_\_\_\_  
2. \_\_\_\_\_  
3. \_\_\_\_\_  
4. \_\_\_\_\_  
5. \_\_\_\_\_  
6. \_\_\_\_\_

7. \_\_\_\_\_  
8. \_\_\_\_\_  
9. \_\_\_\_\_  
10. \_\_\_\_\_  
11. \_\_\_\_\_  
12. \_\_\_\_\_

Date: \_\_\_\_\_

**SECTION VII. CERTIFICATION**

By signing below, each juror certifies that consideration of the race, color, religious beliefs, national origin, or sex of the defendant or the victim was not involved in reaching his or her individual decision, and that the individual juror would have made the same recommendation regarding a sentence for the crime or crimes in question regardless of the race, color, religious beliefs, national origin, or sex of the defendant, or the victim.

Juror Signatures:

1. _____	7. _____
2. _____	8. _____
3. _____	9. _____
4. _____	10. _____
5. _____	11. _____
6. _____	12. _____

The foregoing responses reflect the jury's determinations in the sentencing phase.

So say we all, dated at (city, state), this day of \_\_\_\_\_  
\_\_\_\_\_, (year), at \_\_\_\_\_ o'clock a.m./p.m.

\_\_\_\_\_  
Signature of Foreperson