

SPECIAL VERDICT FORM

I have prepared a form entitled “Special Verdict Form” to assist you during your deliberations. You are required to record your decisions on the Special Verdict Form. Section I of the Special Verdict Form is where you will record your findings on the defendant’s Age. Section II is where you will record your findings on the Threshold Intent Factors. Section III is where you will record your findings on Statutory Aggravating Factors. Section IV is where you will record your findings on Non-Statutory Aggravating Factors. Section V is where you will record your findings on Mitigating Factors. Section VI is where you will record your sentence determinations. Finally, Section VII contains the non-discrimination certification each juror must read and sign. You are each required to sign the Special Verdict Form.

Once you have finished your deliberations and filled in, signed, and dated the Special Verdict Form, you will advise the Court that you have reached a verdict.

SECTION I. AGE OF DEFENDANT

Do you, the jury, unanimously find that the Government proved, beyond a reasonable doubt, that the defendant BRENDT A. CHRISTENSEN was at least eighteen (18) years of age on June 9, 2017?

YES _____ NO _____

Instructions: If you answered “NO” in Section I, then stop your deliberations on this count and proceed to Section VII. Each juror should carefully read the statement in Section VII, and sign in the appropriate place if the statement accurately reflects the manner in which he or she reached his or her decision.

If you answered “YES” then proceed to Section II which follows.

SECTION II. THRESHOLD INTENT FACTORS

Instructions: Answer the following questions by marking the line next to the appropriate answer, “YES” or “NO,” to indicate the jury’s finding. Each affirmative finding must be unanimous.

A. First Threshold Intent Factor

Do you, the jury, unanimously find that the Government proved, beyond a reasonable doubt, that the defendant BRENDT A. CHRISTENSEN intentionally killed Yingying Zhang?

YES _____ NO _____

B. Second Threshold Intent Factor

Do you, the jury, unanimously find that the Government proved, beyond a reasonable doubt, that the defendant BRENDT A. CHRISTENSEN intentionally inflicted serious bodily injury which resulted in the death of Yingying Zhang?

YES _____ NO _____

C. Third Threshold Intent Factor

Do you, the jury, unanimously find that the Government proved, beyond a reasonable doubt, that the defendant BRENDT A. CHRISTENSEN intentionally participated in an act, contemplating that the life of a person would be taken or intending that lethal force would be used in connection with a person, other than one of the participants in the offense, and that Yingying Zhang died as a direct result of the act?

YES _____ NO _____

D. Fourth Threshold Intent Factor

Do you, the jury, unanimously find that the Government proved, beyond a reasonable doubt, that the defendant BRENDT A. CHRISTENSEN intentionally and specifically engaged in an act of violence, knowing that the act created a grave risk of death to a person, other than one of the participants in the offense, such that participation in the act constituted a reckless disregard for human life and that Yingying Zhang died as a direct result of the act?

YES _____ NO _____

Instructions: If you answered “NO” to **all** of the applicable Threshold Intent Factors, then stop your deliberations on this count and proceed to Section VII. Each juror should carefully read the statement in Section VII, and sign in the appropriate place if the statement accurately reflects the manner in which he or she reached his or her decision.

If you indicated that the United States has established **at least** one of the Threshold Intent Factors in this Section II, subsections A, B, C, or D, proceed to Section III which follows.

SECTION III. STATUTORY AGGRAVATING FACTORS

Instructions: Answer the following questions by marking the line next to the appropriate answer, “YES” or “NO,” to indicate the jury’s finding. An affirmative finding must be unanimous.

A. Death Occurred During Commission of a Kidnapping

Do you, the jury, unanimously find that the Government proved, beyond a reasonable doubt, that Yingying Zhang’s death occurred during the commission of a kidnapping in violation of Title 18 U.S.C. §1201?

YES _____ NO _____

B. Heinous, Cruel, or Depraved Manner of Committing the Offense

Do you, the jury, unanimously find that the Government proved, beyond a reasonable doubt, that the defendant committed the offense in an especially heinous, cruel, or depraved manner, in that it involved torture or serious physical abuse to the victim, Yingying Zhang?

YES _____ NO _____

C. Substantial Planning and Premeditation

Do you, the jury, unanimously find that the Government proved, beyond a reasonable doubt, that the defendant committed the offense after substantial planning and premeditation to cause the death of Yingying Zhang?

YES _____ NO _____

Instructions: If you answered “NO” to all three of the Statutory Aggravating Factors in this Section III, then stop your deliberations and proceed to Section VII of this Form. Each juror should then carefully read the statement in Section VII, and sign in the appropriate place if the statement accurately reflects the manner in which he or she reached his or her decision.

If you answered “YES” (1) that the defendant BRENDT A. CHRISTENSEN was at least eighteen (18) years of age on the date of the alleged offense, **and** (2) that at least one of the Threshold Intent Factors in Section II existed, **and** (3) that at least one of the Statutory Aggravating Factor in this Section III existed, proceed to Section IV, which follows.

SECTION IV. NON-STATUTORY AGGRAVATING FACTORS

Instructions: Answer the following questions by marking the line next to the appropriate answer, “YES” or “NO,” to indicate the jury’s finding. In order to answer “YES” you must be unanimous.

A. Victim Impact Evidence

Do you, the jury, unanimously find that the Government proved, beyond a reasonable doubt, that the defendant BRENDT A. CHRISTENSEN caused injury, harm, and loss to Yingying Zhang, and loss to her family, friends, and co-workers as evidenced by Yingying Zhang’s personal characteristics and by the impact of her death upon her family, friends and co-workers?

YES _____ NO _____

B. Future Dangerousness of the Defendant

Do you, the jury, unanimously find that the Government proved, beyond a reasonable doubt, that the defendant BRENDT A. CHRISTENSEN is likely to commit criminal acts of violence in the future that would constitute a continuing and serious threat to the lives and safety of others, as evidenced by his demonstrated lack of remorse for his serious acts of violence; his expressed desire to be known as a killer; and his claims of additional victims and expertise in avoiding detection?

YES _____ NO _____

C. Lack of Remorse

Do you, the jury, unanimously find that the Government proved, beyond a reasonable doubt, that the defendant BRENDT A. CHRISTENSEN has demonstrated, by statements he made following the offense, that he lacked remorse for the kidnapping resulting in the death of Yingying Zhang?

YES_____ NO_____

D. Vulnerability of Victim

Do you, the jury, unanimously find that the Government proved, beyond a reasonable doubt, that the victim, Yingying Zhang, was particularly vulnerable due to her small stature and limited ability to communicate in English?

YES_____ NO_____

E. Obstruction of Investigation

Do you, the jury, unanimously find that the Government proved, beyond a reasonable doubt, that the defendant, BRENDT A. CHRISTENSEN, attempted to obstruct the investigation of the offense by, at least, making false statements to investigators, destroying or concealing evidence the victim's remains, and sanitizing the crime scene?

YES_____ NO_____

Instructions: Regardless of whether you found that the Government has established any of the Non-Statutory Aggravating Factors in this Section IV, proceed to Section V, which follows.

SECTION V. MITIGATING FACTORS

Instructions: For each of the following Mitigating Factors, indicate in the space provided the number of jurors who find the existence of that Mitigating Factor to be proved by a preponderance of the evidence.

Unlike for Aggravating Factors, your vote with respect to a Mitigating Factor need not be unanimous. A finding with respect to a Mitigating Factor may be made by one (1) or more of the members of the jury. Any juror persuaded of the existence of a Mitigating Factor must consider it in this case, regardless of the number of other jurors who agree the factor has been established. Further, any juror may, but is not required to, weigh a Mitigating Factor found by another juror, even if he or she did not also find that factor to exist or to be mitigating.

MITIGATING FACTORS

1. Mr. Christensen has no prior criminal record, no prior arrests, and no prior incarcerations.

Number of jurors who so find: _____

2. Mr. Christensen's mother struggled with severe suicidal depression and anxiety when he was growing up.

Number of jurors who so find: _____

3. Mr. Christensen's mother became a chronic alcoholic during his childhood and required both inpatient and outpatient treatment for her alcoholism.

Number of jurors who so find: _____

4. There is an extensive history of mental illness on Mr. Christensen's mother's side of the family.

Number of jurors who so find: _____

5. There is an extensive history of mental illness on Mr. Christensen's father's side of the family.

Number of jurors who so find: _____

6. Mr. Christensen has demonstrated the capacity to be a loving and caring person.

Number of jurors who so find: _____

7. Mr. Christensen was a gentle child and displayed no aggressive or violent behavior towards others while growing up.

Number of jurors who so find: _____

8. Mr. Christensen provided emotional support to his sister, Andrea, while she was growing up.

Number of jurors who so find: _____

9. Mr. Christensen's mother, Ellen, loves him and cares about him and is willing to support him during a sentence of life without release.

Number of jurors who so find: _____

10. If Mr. Christensen is executed, his mother will suffer grief and loss.

Number of jurors who so find: _____

11. Mr. Christensen's father, Michael, loves him and cares about him and is willing to support him during a sentence of life without release.

Number of jurors who so find: _____

12. If Mr. Christensen is executed, his father will suffer grief and loss.

Number of jurors who so find: _____

13. Mr. Christensen's sister, Andrea, loves him and cares about him and is willing to support him during a sentence of life without release.

Number of jurors who so find: _____

14. If Mr. Christensen is executed, his sister will suffer grief and loss.

Number of jurors who so find: _____

15. Mr. Christensen has a long history of brain injury and dysfunction, including sleep disorders (including parasomnia, sleep terrors, and sleep paralysis), concussions, and chronic migraines.

Number of jurors who so find: _____

16. Mr. Christensen suffered from symptoms of depression throughout his life.

Number of jurors who so find: _____

17. Mr. Christensen suffered from symptoms of anxiety throughout his life.

Number of jurors who so find: _____

18. Mr. Christensen struggled with addiction to alcohol beginning in college.

Number of jurors who so find: _____

19. Mr. Christensen struggled with addiction to prescription drugs, including Vicodin and Ambien, beginning in college.

Number of jurors who so find: _____

20. Mr. Christensen and his wife, Michelle, did not socialize with anyone else during their time together (2009-2017), and Michelle was Mr. Christensen's best and only friend.

Number of jurors who so find: _____

21. Mr. Christensen sought medical treatment, and ultimately prescription medication, for his psychiatric issues at the University of Illinois in January of 2016.

Number of jurors who so find: _____

22. Mr. Christensen accepted the advice of his wife, Michelle, and advisor in seeking psychiatric treatment in January of 2016.

Number of jurors who so find: _____

23. Mr. Christensen suffered from symptoms of depression, anxiety and sleep problems despite medical treatment from January 2016 through March of 2017.

Number of jurors who so find: _____

24. Mr. Christensen sought professional counseling for his alcohol and drug abuse in March of 2017 at the University of Illinois Counseling Center.

Number of jurors who so find: _____

25. During two separate meetings with the UICC Staff in March of 2017, Mr. Christensen repeated to the counselors that he was having thoughts of suicide and homicide.

Number of jurors who so find: _____

26. Mr. Christensen confessed to the counselors at the UICC that he had a plan for how to commit a murder, that he had purchased items to facilitate his plan to commit a murder, that he knew his thoughts were wrong and disturbing to others, and that he did not want to be that kind of person.

Number of jurors who so find: _____

27. Mr. Christensen sought professional psychological counseling for his alcohol and drug abuse in March of 2017 at the University of Illinois Counseling Center, where he told the counselor that he could not see a path forward without his wife.

Number of jurors who so find: _____

28. There is an extensive history of alcoholism and/or substance abuse on both sides of Mr. Christensen's family which is a factor suggesting his own predisposition to alcoholism and/or substance abuse.

Number of jurors who so find: _____

29. Mr. Christensen abused alcohol and prescription drugs in an attempt to self-medicate and control his psychological problems.

Number of jurors who so find: _____

30. The breakdown of Mr. Christensen's marriage caused him severe emotional stress.

Number of jurors who so find: _____

31. In order to save his marriage, Mr. Christensen agreed to his wife Michelle's proposal that they both be free to date and have sex with other people.

Number of jurors who so find: _____

32. Mr. Christensen was particularly distressed the weekend of June 9, 2017, because his wife Michelle went on a weekend trip with another man to the place where they spent their honeymoon.

Number of jurors who so find: _____

33. After Mr. Christensen sought help for his substance abuse and intrusive suicidal and homicidal thoughts in March of 2017, the University Counseling Center did not refer and coordinate with mental health professionals at the University Health Center.

Number of jurors who so find: _____

34. After Mr. Christensen sought help for his substance abuse and intrusive suicidal and homicidal thoughts in March of 2017, the University Counseling Center did not obtain medical records and did not develop a treatment and safety plan to address the homicidal and suicidal ideations he expressed.

Number of jurors who so find: _____

35. After Mr. Christensen sought help for his substance abuse and intrusive suicidal and homicidal thoughts in March of 2017, the University Counseling Center did not conduct a follow-up with him.

Number of jurors who so find: _____

36. After Mr. Christensen sought help for his substance abuse and intrusive suicidal and homicidal thoughts in March of 2017, the University Counseling Center did not assess and evaluate the specifics of the homicidal and suicidal ideations he expressed.

Number of jurors who so find: _____

37. While incarcerated following his arrest on June 30, 2017, Mr. Christensen has had no disciplinary reports or violations.

Number of jurors who so find: _____

38. During two years of pretrial incarceration, Mr. Christensen has never possessed a weapon.

Number of jurors who so find: _____

39. Mr. Christensen has never threatened jail staff while incarcerated in jail.

Number of jurors who so find: _____

40. Mr. Christensen has never threatened any other prisoners while incarcerated at the jail.

Number of jurors who so find: _____

41. Mr. Christensen has never attempted to engage in criminal activity with outside persons while at the jail.

Number of jurors who so find: _____

42. Mr. Christensen has been respectful to all male correctional officers when incarcerated at the jail.

Number of jurors who so find: _____

43. Mr. Christensen has been respectful to all female correctional officers when incarcerated at the jail.

Number of jurors who so find: _____

44. Mr. Christensen has been respectful to all of his fellow inmates and did not cause disturbances within the jail.

Number of jurors who so find: _____

45. Mr. Christensen has adapted very well to being incarcerated.

Number of jurors who so find: _____

46. Mr. Christensen is unlikely to commit a serious act of violence while serving a sentence of life without possibility of release.

Number of jurors who so find: _____

47. Mr. Christensen behaved respectfully during the trial in this case.

Number of jurors who so find: _____

48. The penalty of life without the possibility of release is a severe sentence.

Number of jurors who so find: _____

49. All lives are valuable, including Mr. Christensen's life.

Number of jurors who so find: _____

ADDITIONAL MITIGATING FACTORS

Write in any Additional Mitigating Factors determined by any one (1) or more members of the jury, and indicate the number of jurors who find the existence of that Mitigating Factor to be proved by a preponderance of the evidence. If your answer is none, then write "NONE." If extra space is needed, write "CONTINUED" and use the reverse side of this page for extra space.

A. _____

Number of jurors who so find _____

B. _____

Number of jurors who so find _____

C. _____

Number of jurors who so find _____

D. _____

Number of jurors who so find _____

E. _____

Number of jurors who so find _____

Instructions: Regardless of the jury's determination with respect to the existence of any Mitigating Factors in this Section V, proceed to Section VI.

SECTION VI. DETERMINATION OF SENTENCE

Instructions: Consider whether the Aggravating Factor or Factors found to exist sufficiently outweigh any Mitigating Factor or Factors found to exist, or in the absence of any Mitigating Factors, whether the Aggravating Factor or Factors are themselves sufficient to justify a sentence of death, and whether death is therefore the appropriate sentence in this case. A sentence of death shall only be imposed if your decision in favor of it is unanimous. Based upon that consideration, check one of the following:

_____ **We, the jury, unanimously find that the aggravating factor or factors found to exist sufficiently outweigh the mitigating factor or factors found to exist or, in the absence of any mitigating factors, that the aggravating factor or factors alone are sufficient so that death is the appropriate sentence for Brendt Christensen.**

_____ **We, the jury, unanimously find that a sentence of life in prison without the possibility of release is the appropriate sentence for Brendt Christensen.**

_____ **Based upon our consideration of the evidence, and in accordance with the court's instructions, after making all reasonable efforts, we, the jury, are unable to reach a unanimous decision in favor of a life sentence or in favor of a death sentence.**

After answering the above question, each juror should sign his or her name below and the date should be filled in. Once each juror has signed proceed to Section VII of this Special Verdict Form.

SPECIAL VERDICT FORM SECTION VI
Determination of Sentence

[illegible]

Date:_____

VII. CERTIFICATION

By signing below, each juror certifies that consideration of the race, color, religious beliefs, national origin, or sex of the defendant or 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.

[illegible]

Date:_____