

EASTERN DISTRICT OF VIRGINIA

FILED  
IN OPEN COURT

MAR 13 1998  
DJP

CLERK, U.S. DISTRICT COURT  
RICHMOND, VA

v.

LAFAWN DEWAYNE BOBBITT,  
Defendant.

Instructions: As much as possible, you should proceed through this Special Verdict Form section by section in numerical order.

Instructions: Answer "YES" or "NO."

YES ✓  
NO \_\_\_\_\_

Date: March 12, 1998.

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## **Bobbitt Special Verdict Form**

If you answered "YES" to the age determination, then you should continue your deliberations in accordance with the court's instructions and proceed to Section II which follows.

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II. THRESHOLD ELIGIBILITY FACTORS

Instructions: If you unanimously find that one or more of these four "threshold eligibility factors" has been proven beyond a reasonable doubt place an "X" next to "YES" as to that factor and move on to the statutory aggravating factors. Do this for each count.

A. COUNT TWO--Killing of Lori A. Robinson while committing a Bank Robbery

1. LAFAWN DEWAYNE BOBBITT intentionally killed Lori A. Robinson.

YES     X      
NO           

2. LAFAWN DEWAYNE BOBBITT intentionally inflicted serious bodily injury which resulted in the death of Lori A. Robinson.

YES     X      
NO           

3. LAFAWN DEWAYNE BOBBITT 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 Lori A. Robinson died as a direct result of the act.

YES     X      
NO           

4. LAFAWN DEWAYNE BOBBITT 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 Lori A. Robinson died as a direct result of the act.

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YES     X      
NO           

B. COUNT FOUR -- MURDER of Lori A. Robinson

1. LAFAWN DEWAYNE BOBBITT intentionally killed Lori A. Robinson.

YES     X      
NO           

2. LAFAWN DEWAYNE BOBBITT intentionally inflicted serious bodily injury which resulted in the death of Lori A. Robinson.

YES     X      
NO           

3. LAFAWN DEWAYNE BOBBITT 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 Lori A. Robinson died as a direct result of the act.

YES     X      
NO           

4. LAFAWN DEWAYNE BOBBITT 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 Lori A. Robinson died as a direct result of the act.

YES     X      
NO           

Instructions: If you answered "NO" with respect to all four

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of the "threshold eligibility factors" in Section II above as to Counts Two or Four then that ends your consideration of the death penalty as to that Count. You must stop your deliberations as to that particular Count and indicate in the Section VI RECOMMENDATION portion of this form with respect to that count that the jury has been unable to unanimously find beyond a reasonable doubt that any of the "threshold eligibility factors" exist. If you answered "NO" with respect to all four "threshold eligibility factors" as to Counts Two and Four that ends your consideration of the death penalty completely as to this defendant. You should stop your deliberations as to this defendant, cross out Sections III, IV, V, and indicate in the Section VI RECOMMENDATION portion of this form with respect to both counts that the jury has been unable to unanimously find beyond a reasonable doubt that any of the "threshold eligibility factors" exist. Then proceed to Section VII of this form.

If you answered "YES" with respect to one or more of the "threshold eligibility factors" in Section II above as to either Count Two or Count Four, or both, then continue your deliberations in accordance with the court's instructions as to the Count or Counts for which you found a "threshold eligibility factor" to exist and proceed to Section III which follows.

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**III. STATUTORY AGGRAVATING FACTORS**

Instructions: For each of the following, answer "YES" or "NO" as to whether you, the jury, unanimously find that the government has established the existence of that statutory aggravating factor beyond a reasonable doubt as to each of Counts Two and Four.

**A. COUNT TWO--Killing of Lori A. Robinson while committing a Bank Robbery**

1. In committing the offense described in Count Two, and in escaping apprehension for the violation of the offense, defendant LAFAWN DEWAYNE BOBBITT knowingly created a grave risk of death to one or more persons in addition to the victim of the offense, Lori A. Robinson.

YES     X      
NO           

2. The defendant, LAFAWN DEWAYNE BOBBITT, committed the offense in Count Two as consideration for the receipt, or in the expectation of the receipt, of anything of pecuniary value.

YES     X      
NO           

3. The defendant LAFAWN DEWAYNE BOBBITT committed the offense described in Count Two after substantial planning and premeditation to cause the death of a person.

YES     X      
NO           

4. The defendant, LAFAWN DEWAYNE BOBBITT, intentionally attempted to kill more than one person in the single criminal episode alleged in Count Two

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YES   X    
NO           

B. COUNT FOUR -- MURDER OF LORI A. ROBINSON

1. In committing the offense described in Count Four, and in escaping apprehension for the violation of the offense, defendant LAFAWN DEWAYNE BOBBITT knowingly created a grave risk of death to one or more persons in addition to the victim of the offense, Lori A. Robinson.

YES   X    
NO           

2. The defendant, LAFAWN DEWAYNE BOBBITT, committed the offense in Count Four as consideration for the receipt, or in the expectation of the receipt, of anything of pecuniary value.

YES   X    
NO           

3. The defendant LAFAWN DEWAYNE BOBBITT committed the offense described in Count Four after substantial planning and premeditation to cause the death of a person.

YES   X    
NO           

4. The defendant, LAFAWN DEWAYNE BOBBITT, intentionally attempted to kill more than one person in the single criminal episode alleged in Count Two.

YES   X    
NO

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Instructions: If you answered "NO" with respect to all four of the statutory aggravating factors in Section III above as to Counts Two or Four then that ends your consideration of the death penalty as to that Count. You must stop your deliberations as to that particular Count and indicate in the Section VI RECOMMENDATION portion of this form with respect to that count that the jury has been unable to unanimously find beyond a reasonable doubt that any of the statutory aggravating factors exist. If you answered "NO" with respect to all four statutory aggravating factors as to Counts Two and Four that ends your consideration of the death penalty as to this defendant. You should stop your deliberations as to this defendant, cross out Sections IV and V, and indicate in the Section VI RECOMMENDATION portion of this form with respect to both counts that the jury has been unable to unanimously find beyond a reasonable doubt that any of the statutory aggravating factors exist. Then proceed to Section VII of this form.

If you answered "YES" with respect to any one or more of the statutory aggravating factors alleged as to Counts Two or Four against the defendant LAFAWN DEWAYNE BOBBITT in Section III above, then you may continue your deliberations only if you also found a "threshold eligibility factor" in Section II as to that particular count.

If you found one "threshold eligibility factor" in Section II and at least one statutory aggravating factor in Section III that relate to the defendant LAFAWN DEWAYNE BOBBITT in Counts Two or Four, or both, then you must continue your deliberations in accordance with the court's instructions and proceed to Section IV which follows. You must have unanimously found one "threshold eligibility factor" (Section II) and at least one statutory aggravating factor (Section III) as to the same Count. Otherwise, you should stop your deliberations, cross out Sections IV and V, and indicate in the Section VI RECOMMENDATION portion of this form with respect to both counts that the jury has been unable to unanimously find beyond a reasonable doubt that the respective "threshold eligibility" or statutory aggravating factors exist.

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IV. OTHER NON-STATUTORY AGGRAVATING FACTORS

Instructions: For each of the following, answer "YES" or "NO" as to whether you, the jury, unanimously find that the government has established the existence of that non-statutory aggravating factor beyond a reasonable doubt. The government has alleged the same non-statutory aggravating factors as to Counts Two and Four:

1. On or about January 11, 1991, in the City of Richmond, Judge Roberts amended a Delinquent Child Petition alleging that LAFAWN DEWAYNE BOBBITT attempted to steal a 1988 Pontiac automobile on August 11, 1990, to Tampering with an Automobile, and took the case under advisement pending the good behavior of LAFAWN DEWAYNE BOBBITT.

YES     X      
NO           

2. On or about May 2, 1991, defendant LAFAWN DEWAYNE BOBBITT was found guilty in Chesterfield County of Breaking and Entering a dwelling, and larceny of a 1985 BMW automobile, both occurring on April 10, 1991.

YES     X      
NO           

3. On or about May 15, 1991, defendant LAFAWN DEWAYNE BOBBITT was found guilty in Chesterfield County of stealing property on February 27, 1991, having a value of \$410.00.

YES     X      
NO           

4. On or about April 2, 1992, defendant LAFAWN DEWAYNE BOBBITT was found guilty on a charge of Curse and Abuse occurring

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in Henrico County, Virginia.

YES   X    
NO           

5. On or about July 28, 1992, defendant LAFAWN DEWAYNE BOBBITT was found guilty on charges of Credit Card Forgery and Credit Card Theft in Henrico County, Virginia.

YES   X    
NO           

6. On or about October 30, 1992, defendant LAFAWN DEWAYNE BOBBITT was found guilty in Chesterfield County on a show cause order alleging that the defendant violated a condition of his suspended sentence by committing additional violations of the law.

YES   X    
NO           

7. In or about the fall of 1994, in Richmond, Virginia, defendant LAFAWN DEWAYNE BOBBITT, took an automobile and later returned it with a bullet hole in the door caused by the discharge of a firearm.

YES   X    
NO           

8. In or about the fall of 1994, at a Shoney's Restaurant in the Richmond area, defendant LAFAWN DEWAYNE BOBBITT threatened to kill Carl Scales, and displayed a handgun in support of that threat.

YES   X    
NO

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9. On or about March 31, 1995, in Richmond, Virginia, defendant LAFAWN DEWAYNE BOBBITT was found guilty on a charge of Larceny from the Person arising from the theft of a purse from a 70 year old woman on September 9, 1994.

YES   X    
NO           

10. On or about September 25, 1995, defendant LAFAWN DEWAYNE BOBBITT was found guilty of Obstruction of Justice and Trespassing occurring on August 26, 1995, in Richmond, Virginia.

YES   X    
NO           

11. On or about February 9, 1996, the defendant, LAFAWN DEWAYNE BOBBITT, used and carried a .38 caliber revolver while committing a burglary of, and grand larceny from, D. R. Frick Auto Sales in Richmond, Virginia.

YES   X    
NO           

12. On or about March 18, 1997, in Henrico County, Virginia, defendant LAFAWN DEWAYNE BOBBITT was convicted of Grand Larceny of an automobile, Possession of a Vehicle with an Altered Vehicle Identification Number (VIN), and Operating a Motor Vehicle after License Revoked, arising from offenses committed on August 2, 1996.

YES   X    
NO           

13. During in or about August of 1996 through December of 1996, in Richmond, Virginia, defendant LAFAWN DEWAYNE BOBBITT

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possessed crack cocaine and marijuana with the intent to distribute those drugs, and packaged drugs for distribution.

YES   X    
NO           

14. On January 30, 1997, during the robbery alleged in the Third Superseding Indictment, defendant LAFAWN DEWAYNE BOBITT used a stolen .380 caliber Lorcin semi-automatic pistol which was taken during a residential burglary in Richmond, Virginia, on or about August 2, 1996.

YES   X    
NO           

15. On January 30, 1997, defendant LAFAWN DEWAYNE BOBBITT committed the offenses alleged in the Third Superseding Indictment while on pre-trial release from the felony charge of Grand Larceny, arising from the offenses occurring on August 2, 1996.

YES   X    
NO           

16. On January 30, 1997, defendant LAFAWN DEWAYNE BOBBITT armed himself with semi-automatic weapons, extended clips and extra ammunition, amounting to a quantity and degree of firepower far in excess of any resistance or force he might encounter during a bank robbery.

YES   X    
NO           

17. The loss of Lori A. Robinson as an individual human being, including her personal characteristics and accomplishments.

YES   X    
NO

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18. The impact of the loss of Lori A. Robinson on her family.

YES   X    
NO           

19. On January 30, 1997, defendant LAFAWN DEWAYNE BOBBITT intended to inflict serious emotional and physical harm on the employees and customers of NationsBank during the robbery through threats, intimidation and torture by the use of three cans of flammable charcoal lighter fluid and electrical cords which were implements of the criminal activity.

YES   X    
NO           

20. While incarcerated awaiting trial, defendant LAFAWN DEWAYNE BOBBITT has expressly exhibited a lack of remorse toward the death of Lori A. Robinson, and has boastfully re-enacted the shooting which occurred during the bank robbery.

YES             
NO   X  

21. Defendant LAFAWN DEWAYNE BOBBITT poses a future danger to inmates and correctional officers in an institutional setting in that he is likely to attempt to escape or engage in acts of violence against others.

(a) In or about late May and early June, 1997, defendant LAFAWN DEWAYNE BOBBITT, while in the custody of the United States Marshal in the Piedmont Regional Jail, Farmville, Virginia, did devise a scheme to escape from that facility by breaking out through a perimeter wall of the jail.

(b) In or about late May and early June, 1997, defendant LAFAWN DEWAYNE BOBBITT, while in the custody of the United States Marshal at the Piedmont Regional Jail, Farmville,

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Virginia, fashioned from a mop bucket a shank which was to be used as an implement in aid of his escape.

(c ) In or about late May and early June, 1997, defendant LAFAWN DEWAYNE BOBBITT, as part of the scheme to escape from the custody of the United States Marshal and from confinement at the Piedmont Regional Jail, solicited others to obtain and purchase firearms, including a Cobray PM-11, nine millimeter semiautomatic weapon, referred to as a MAC-11 by the defendant, to aid in his escape from the institution.

(d) In or about May and early June, 1997, defendant LAFAWN DEWAYNE BOBBITT, did express his intent to kill any correctional officers, police officers, or other law enforcement officers who attempted to prevent his escape from custody at the Piedmont Regional Jail.

YES \_\_\_\_\_  
NO   X  

22. The Government further relies upon all the evidence admitted by the Court at the guilt phase of the trial and the offenses of conviction as described in the Third Superseding Indictment as they relate to the background and character of the defendant, LAFAWN DEWAYNE BOBBITT, his moral culpability, his future dangerousness, and the nature and circumstances of the offense charged in Count Four of the Third Superseding Indictment.

YES   X    
NO \_\_\_\_\_

Instructions: Regardless of whether you answered "YES" or "NO" with respect to the Non-Statutory Aggravating Factors in Section IV above, continue your deliberations in accordance with the Court's instructions and proceed to Section V which follows. You must, however, have unanimously found proven beyond a reasonable doubt the existence of one "threshold eligibility factor" in Section II above and at least one statutory

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factor" in Section II above and at least one statutory  
aggravating factor in Section III above as to one or both counts.

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V. MITIGATING FACTORS

Instructions: For each of the following mitigating factors, you have the option to indicate, in the space provided, the number of jurors who have found the existence of that mitigating factor to be proven by a preponderance of the evidence. If you choose not to make these written findings, cross out each page of Section IV with a large "X" and then continue your deliberations in accordance with the instructions of the Court.

Regardless of whether or not you choose to make written findings, a finding that a mitigating factor has been proven by a preponderance of the evidence may be made by one or more of the members of the jury, and any member of the jury who finds the existence of a mitigating factor may consider such a factor established in considering whether or not a sentence of death shall be imposed, regardless of the number of other jurors who concur that the factor has been established.

A. COUNT TWO--MITIGATING FACTORS AS TO KILLING LORI A. ROBINSON WHILE COMMITTING A BANK ROBBERY

1. LAFAWN DEWAYNE BOBBITT's capacity to appreciate the wrongfulness of his conduct or to conform his conduct to the requirements of the law was significantly impaired, regardless of whether the capacity was so impaired as to constitute a defense to the charge.

Number of jurors who so find Ø.

2. LAFAWN DEWAYNE BOBBITT was under unusual and substantial duress, regardless of whether the duress was of such a degree as to constitute a defense to the charge.

Number of jurors who so find Ø.

3. LAFAWN DEWAYNE BOBBITT is punishable as a principal in the offense, which was committed by another, but his participation was relatively minor, regardless of whether the

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participation was so minor as to constitute a defense to the charge.

Number of jurors who so find 0.

4. LAFAWN DEWAYNE BOBBITT does not have a significant prior history of other criminal conduct.

Number of jurors who so find 0.

5. LAFAWN DEWAYNE BOBBITT committed the offense under severe mental or emotional disturbance.

Number of jurors who so find 0.

**B. COUNT FOUR--MITIGATING FACTORS AS TO MURDER OF LORI A. ROBINSON**

1. LAFAWN DEWAYNE BOBBITT's capacity to appreciate the wrongfulness of his conduct or to conform his conduct to the requirements of the law was significantly impaired, regardless of whether the capacity was so impaired as to constitute a defense to the charge.

Number of jurors who so find 0.

2. LAFAWN DEWAYNE BOBBITT was under unusual and substantial duress, regardless of whether the duress was of such a degree as to constitute a defense to the charge.

Number of jurors who so find 0.

3. LAFAWN DEWAYNE BOBBITT is punishable as a principal in the offense, which was committed by another, but his participation was relatively minor, regardless of whether the participation was so minor as to constitute a defense to the charge.

Number of jurors who so find 0.

4. LAFAWN DEWAYNE BOBBITT does not have a significant prior history of other criminal conduct.

Number of jurors who so find 0.


5. LAFAWN DEWAYNE BOBBITT committed the offense under severe mental or emotional disturbance.

Number of jurors who so find 2.


C. NON-STATUTORY MITIGATING FACTORS

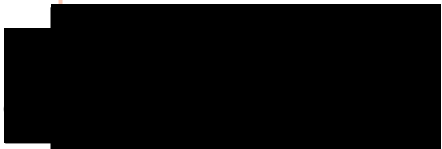
Instructions: LAFAWN DEWAYNE BOBBITT has alleged the following additional non-statutory mitigating factors in his background or character, the circumstances of the crimes, or other relevant facts or circumstance as mitigation. If any one juror finds any such factor established by a preponderance of the evidence, he or she may weigh that factor against any aggravating factors:

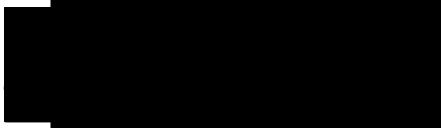
1) That should the jury so direct, LaFawn Dewayne Bobbitt will be sentenced to life in prison without any possibility of release if he is not sentenced to death;

Number of jurors who so find ~~12~~ 0 

2) That LaFawn Dewayne Bobbitt was subjected to emotional and physical abuse, abandonment and neglect as a child, and was deprived of the parental guidance and protection which he needed;

Number of jurors who so find 4 3 

3) That LaFawn Dewayne Bobbitt suffers from neurological impairments which were identified and which could have been treated when he was a child and adolescent; 

Number of jurors who so find ~~4~~ 1 

4) That LaFawn Dewayne Bobbitt suffers from brain dysfunction which has gravely impaired his ability to function in

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the absence of strong support and guidance;

Number of jurors who so find 0.

5) That LaFawn Dewayne Bobbitt was introduced to addictive drugs and alcohol as a child;

Number of jurors who so find 7.

6) That LaFawn Dewayne Bobbitt has responded well to structured environments, and would likely make an excellent adaptation to prison if he were sentenced to life in prison;

Number of jurors who so find 2.

7) That LaFawn Dewayne Bobbitt grew up on an impoverished, violent and brutal environment, and was exposed to extreme violence as a child and throughout his life;

Number of jurors who so find to 4.

8) That LaFawn Dewayne Bobbitt experienced multiple moves during his childhood, creating instability and insecurity during his formative years;

Number of jurors who so find 5 0.

9) That at the time of the offense, LaFawn Dewayne Bobbitt was youthful, although not under the age of 18;

Number of jurors who so find 5 0.

10) That LaFawn Dewayne Bobbitt's father was absent from almost all of LaFawn's life, depriving him of a male role model during his formative years;

Number of jurors who so find 4 1.

11) That LaFawn Dewayne Bobbitt suffered from childhood lead poisoning;

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Number of jurors who so find 3.

12) That LaFawn Dewayne Bobbitt suffered from multiple brain seizures as a child;

Number of jurors who so find 2 1. [REDACTED]

13) That LaFawn Dewayne Bobbitt suffered from Attention Deficit Disorder and other problems for which he never received adequate intervention and care;

Number of jurors who so find 2 1. [REDACTED]

14) That LaFawn Dewayne Bobbitt has endured multiple insults to his central nervous system (e.g., seizures, lead poisoning, loss of consciousness, physical abuse, substance abuse).

Number of jurors who so find 6 4. [REDACTED]

15) That LaFawn Dewayne Bobbitt consistently witnessed acts of violence on a frequent basis both in his home and in his community;

Number of jurors who so find 9 4. [REDACTED]

16) That LaFawn Dewayne Bobbitt lived with the constant threat of harm;

Number of jurors who so find 3 2. [REDACTED]

17) That the chaos and unpredictability of LaFawn Dewayne Bobbitt's environment increased his hyperactivity and agitation and made it more likely that he would behave impulsively and without insight or judgment;

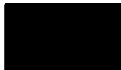
Number of jurors who so find 4 2. [REDACTED]

18) That LaFawn Dewayne Bobbitt's Attention Deficit Disorder rendered it difficult for LaFawn to learn from his experiences;


Number of jurors who so find 0.

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19) That LaFawn Dewayne Bobbitt was raised in an environment of poverty and financial irresponsibility;

Number of jurors who so find 3 0. 

20) That LaFawn Dewayne Bobbitt was recruited at an early age by persons who were older and more experienced, and who had no concern for his well being and safety, with promises of monetary returns calculated and intended to attract young teenagers of limited means to commit criminal acts with a great likelihood of violence;

Number of jurors who so find 4 3. 

21) That other less culpable members, indicted but not yet tried, who were involved in the conspiracy to rob NationsBank, may not be punished by death; and

Number of jurors who so find 0.

22) That other factors in LaFawn Dewayne Bobbitt's childhood, background or character mitigate against imposition of the death sentence.

Number of jurors who so find 0.

As outlined in Jury Instruction 21, the last factor permits you to consider anything else about the commission of the crime or about LaFawn Dewayne Bobbitt's background or character that would mitigate against imposition of the death penalty.

The following extra spaces are provided to write in any additional mitigating factors you may find by any one or more jurors. If none, write "NONE" and line out the extra spaces with a large "X." If more space is needed, write "CONTINUED" and use the reverse side of this page.

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None

Number of jurors who so find \_\_\_\_\_.

Number of jurors who so find \_\_\_\_\_.

Number of jurors who so find \_\_\_\_\_.

Instructions: Regardless of whether or not you chose to make written findings for the Mitigating Factors in Section V above, continue your deliberations in accordance with the Court's instructions and proceed to Section VI and Section VII which follow.

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VI. RECOMMENDATION

A. COUNT TWO -- KILLING OF LORI A. ROBINSON WHILE  
COMMITTING A BANK ROBBERY

1. If No "threshold eligibility factors" and/or statutory aggravating factors are found to exist as to count two.

Instructions: If you have been unable to unanimously find beyond a reasonable doubt that any "threshold eligibility factors" (Section II of this form) and/or statutory aggravating factors (Section III of this form) exist as to Count Two, then so indicate below.

We, the jury, do not unanimously find proven, beyond a reasonable doubt, the existence any of the "threshold eligibility factors" and/or statutory aggravating factors required by law as prerequisites for the imposition of capital punishment, and therefore do not consider the death penalty as to the killing of Lori A. Robinson, for which LAFAWN DEWAYNE BOBBITT has been convicted in Count Two.

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FOREPERSON

Date: March \_\_, 1998.

Instructions: If you have been unable to unanimously find beyond a reasonable doubt that any "threshold eligibility factors" and/or statutory aggravating factors exist as to Count Two, then after the foreperson so indicates above, you should proceed to Count Four in Section VI.B. of this form.

If you have unanimously found beyond a reasonable doubt that at least one "threshold eligibility factor" and one statutory aggravating factor exist as to Count Two, then you should proceed to recommend an appropriate punishment as set forth below.

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### 2. Death Sentence

Based upon consideration of whether the aggravating 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 factors are themselves sufficient to justify a sentence of death, we recommend, by unanimous vote, that a sentence of death shall be imposed upon the defendant LAFAWN DEWAYNE BOBBITT for the killing of Lori A. Robinson as described in Count Two of the Third Superseding Indictment.

YES \_\_\_\_\_  
NO   X  

If you answer "YES," sign your names here, and then proceed to Section VI.B. If you answer "NO," the foreperson alone should sign, and you should proceed to Section VI.A.3.

\_\_\_\_\_  
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\_\_\_\_\_  
\_\_\_\_\_

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\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
FORE \_\_\_\_\_

Date: March 13, 1998.

### 3. Sentence of Life in Prison Without Possibility of Release

Based upon consideration of whether the aggravating 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 factors are themselves sufficient to justify a sentence of death, we recommend, by unanimous vote, that a sentence of life imprisonment without possibility of release shall be imposed upon the defendant LAFAWN

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DEWAYNE BOBBITT for the killing of Lori A. Robinson as described  
in Count Two of the Third Superseding Indictment.

YES \_\_\_\_\_  
NO   X  

If you answer "YES," sign your names here, and then proceed to  
Count Four in Section VI.B. of this form. If you answer "NO,"  
the foreperson alone should sign, and you should proceed to  
Section VI.B.

\_\_\_\_\_  
\_\_\_\_\_  
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\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



Date: March 13, 1998.

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**B.    COUNT FOUR -- MURDER OF LORI A. ROBINSON**

1.    If no "threshold eligibility factors" or statutory aggravating factors are found to exist as to count four.

Instructions: If you have been unable to unanimously find beyond a reasonable doubt that any "threshold eligibility factor" (Section II of this form) and/or statutory aggravating factor (Section III of this form) exist as to Count Four, then so indicate below.

We, the jury, do not unanimously find proven, beyond a reasonable doubt, the existence any of the "threshold eligibility factor" and/or statutory aggravating factor required by law as prerequisites for the imposition of capital punishment, and therefore do not consider the death penalty as to the murder of Lori A. Robinson, for which LAFAWN DEWAYNE BOBBITT has been convicted in Count Four.

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FOREPERSON

Date: March \_\_, 1998.

Instructions: If you have been unable to find unanimously beyond a reasonable doubt that any "threshold eligibility factor" (Section II of this form) or statutory aggravating factor (Section III of this form) exist as to Count Four, then after the foreperson so indicates above, you should proceed to Section VII.

If you have unanimously found beyond a reasonable doubt that at least one "threshold eligibility factor" and one statutory aggravating factor exist as to Count Four, then you should proceed to recommend an appropriate punishment as set forth below.

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2. Death Sentence

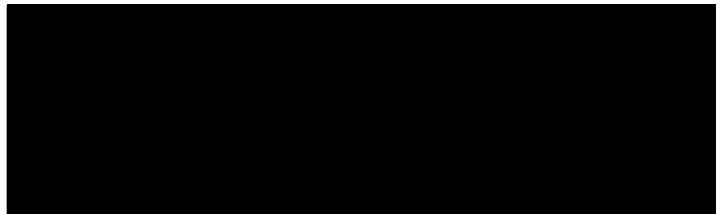
Based upon consideration of whether the aggravating factors found to exist sufficiently outweigh any mitigating factor or factors found to exist, or in the absence of any mitigating factors, whether the aggravating factors are themselves sufficient to justify a sentence of death, we recommend, by unanimous vote, that a sentence of death shall be imposed upon the defendant LAFAWN DEWAYNE BOBBITT for the murder of Lori A. Robinson as described in Count Four of the Third Superseding Indictment.

YES \_\_\_\_\_  
NO   X  

If you answer "YES," sign your names here, and then proceed to Section VII. If you answer "NO," the foreperson alone should sign, and you should proceed to Section VI.B.3.

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Date: March 18, 1998.

3. Sentence of Life in Prison Without Possibility of Release


Based upon consideration of whether the aggravating 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 factors are themselves sufficient to justify a sentence of death, we recommend, by unanimous vote, that a sentence of life imprisonment without possibility of release shall be imposed upon the defendant LAFAWN

**Bobbitt Special Verdict Form**

DEWAYNE BOBBITT for the murder of Lori A. Robinson as described in Count Four of the Third Superseding Indictment.

YES   X    
NO           

If you answer "YES," sign your names here, and then proceed to Section VII. If you answer "NO," the foreperson alone should sign, and you should proceed to Section VI.B.4.



Date: March 13, 1998.

**4. Lesser Sentence**

Based upon consideration of whether the aggravating 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 factors are themselves sufficient to justify a sentence of death, we recommend, by unanimous vote, that a sentence lesser than death or life in prison without possibility of release shall be imposed upon the defendant LAFAWN DEWAYNE BOBBITT for the murder of Lori A. Robinson as described in Count Four of the Third Superseding Indictment.

YES             
NO           

If you answer "YES," sign your names here, and then proceed to

**Bobbitt Special Verdict Form**

**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 LAFAWN DEWAYNE BOBBITT for the murder of Lori A. Robinson as described in Counts Two and Four of the Third Superseding Indictment no matter what the race, color, religious beliefs, national origin, or sex of the defendant, or the victim, would have been.

All jurors and foreperson sign below:

Date: March 13, 1998.