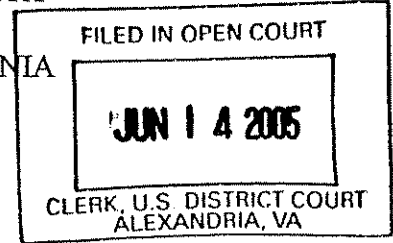


IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA

Alexandria Division



UNITED STATES OF AMERICA)
)
 v.)
)
 ISMAEL JUAREZ CISNEROS,)
 also known as: "Araña")
 _____)

Criminal No. 1:04CR283-A

SPECIAL VERDICT FORM

GENERAL DIRECTIONS:

This verdict form is supplied to you because you have previously found the defendant guilty of all five counts contained in the Indictment that carry a possible penalty of death. You have also found the defendant eligible for the death penalty. Therefore, this form applies as to your findings on Count One (conspiracy to tamper with a witness or an informant), Count Two (conspiracy to retaliate against a witness or an informant), Count Three (Killing a person aiding a federal investigation), Count Four (tampering with a witness or an informant), and Count Five (retaliating against a witness or an informant).

SECTION I. STATUTORY AGGRAVATING FACTORS
(Unanimously found by Jury on May 24, 2005)

As to COUNTS ONE, TWO, THREE, FOUR, and FIVE,

1) Defendant ISMAEL JUAREZ CISNEROS committed the offenses described in an especially heinous, cruel, or depraved manner in that it involved torture and serious physical abuse to Brenda Paz, also known as "Smiley."

 X PROVEN
 NOT PROVEN

2) Defendant ISMAEL JUAREZ CISNEROS committed the offenses described after substantial planning and premeditation to cause the death of Brenda Paz, also known as "Smiley."

 X PROVEN
 NOT PROVEN

SECTION II. NON-STATUTORY AGGRAVATING FACTORS

- **You are required to find, as to each statement below, that it has been “PROVEN” or “NOT PROVEN” beyond a reasonable doubt.**
- **Your finding(s) in this Section, whether “PROVEN” or “NOT PROVEN” must be unanimous.**
- **You may find more than one non-statutory aggravating factor per count, so check all that apply.**

As to COUNT ONE (Conspiracy to Tamper With a Witness or an Informant):

1. Defendant ISMAEL JUAREZ CISNEROS has engaged in a pattern of criminal activity including, but not limited to, the following:
 - (a) Defendant ISMAEL JUAREZ CISNEROS, a citizen of Mexico, has repeatedly entered the United States illegally. On or about February 13, 2004, defendant CISNEROS pled guilty to illegal re-entry after deportation.
 - (b) On or about April 17, 1999, defendant ISMAEL JUAREZ CISNEROS stabbed a fifteen-year-old victim four times in the back and once in the wrist at the Fairfax Towne Center shopping center in retaliation for the victim preventing co-defendant Oscar Antonio Grande from further assaulting a fellow student at school. On or about August 10, 1999, defendant CISNEROS pled guilty for this conduct.
 - (c) On or about July 2, 2003, defendant ISMAEL JUAREZ CISNEROS sold a 12-gauge, pistol-grip shotgun loaded with four rounds of ammunition to a confidential informant.
 - (d) On or about July 25, 2003, defendant ISMAEL JUAREZ CISNEROS sold a .45 caliber pistol, ammunition, and cocaine to a confidential informant.
 - (e) On or about October 15, 2003, defendant ISMAEL JUAREZ CISNEROS sold a .45 caliber pistol and cocaine to an undercover agent with the Bureau of Alcohol, Tobacco, Firearms and Explosives.
 - (f) On or about October 29, 2003, defendant ISMAEL JUAREZ

CISNEROS sold a .380 caliber pistol and cocaine to a confidential informant.

(g) On or about November 4, 2003, defendant ISMAEL JUAREZ CISNEROS sold a .38 caliber revolver, which was loaded, and cocaine to an undercover agent with the Bureau of Alcohol, Tobacco, Firearms and Explosives.

(h) On or about November 18, 2003, officers conducted a search of the residence occupied by defendant ISMAEL JUAREZ CISNEROS and recovered cocaine, tools of the drug trade, and ammunition.

 X PROVEN

 NOT PROVEN

2. Defendant ISMAEL JUAREZ CISNEROS murdered Brenda Paz, also known as "Smiley," while knowing that she was pregnant at the time of her murder.

 X PROVEN

 NOT PROVEN

3. Defendant ISMAEL JUAREZ CISNEROS committed Count One of the Indictment to prevent Brenda Paz, also known as "Smiley," from and to retaliate against her for assisting in the investigation and prosecution of MS-13 members for their criminal activity.

 X PROVEN

 NOT PROVEN

4. Defendant ISMAEL JUAREZ CISNEROS attempted to obstruct justice after murdering Brenda Paz, also known as "Smiley," by threatening to kill anyone who revealed to law enforcement details of his and others' departure from the Holiday Inn Fair Oaks with Brenda Paz, also known as "Smiley," on July 13, 2003.

PROVEN
 NOT PROVEN

5. The impact of the loss of Brenda Paz, also known as "Smiley," on her family is an aggravating factor.

PROVEN
 NOT PROVEN

As to COUNT TWO (Conspiracy to Retaliate Against a Witness or an Informant):

1. Defendant ISMAEL JUAREZ CISNEROS has engaged in a pattern of criminal activity including, but not limited to, the following:
 - (a) Defendant ISMAEL JUAREZ CISNEROS, a citizen of Mexico, has repeatedly entered the United States illegally. On or about February 13, 2004, defendant CISNEROS pled guilty to illegal re-entry after deportation.
 - (b) On or about April 17, 1999, defendant ISMAEL JUAREZ CISNEROS stabbed a fifteen-year-old victim four times in the back and once in the wrist at the Fairfax Towne Center shopping center in retaliation for the victim preventing co-defendant Oscar Antonio Grande from further assaulting a fellow student at school. On or about August 10, 1999, defendant CISNEROS pled guilty for this conduct.
 - (c) On or about July 2, 2003, defendant ISMAEL JUAREZ CISNEROS sold a 12-gauge, pistol-grip shotgun loaded with four rounds of ammunition to a confidential informant.
 - (d) On or about July 25, 2003, defendant ISMAEL JUAREZ CISNEROS sold a .45 caliber pistol, ammunition, and cocaine to a confidential informant.
 - (e) On or about October 15, 2003, defendant ISMAEL JUAREZ CISNEROS sold a .45 caliber pistol and cocaine to an undercover agent with the Bureau of Alcohol, Tobacco, Firearms and Explosives.
 - (f) On or about October 29, 2003, defendant ISMAEL JUAREZ CISNEROS sold a .380 caliber pistol and cocaine to a confidential informant.
 - (g) On or about November 4, 2003, defendant ISMAEL JUAREZ CISNEROS sold a .38 caliber revolver, which was loaded, and cocaine to an undercover agent with the Bureau of Alcohol, Tobacco, Firearms and Explosives.

(h) On or about November 18, 2003, officers conducted a search of the residence occupied by defendant ISMAEL JUAREZ CISNEROS and recovered cocaine, tools of the drug trade, and ammunition.

 X PROVEN
 NOT PROVEN

2. Defendant ISMAEL JUAREZ CISNEROS murdered Brenda Paz, also known as "Smiley," while knowing that she was pregnant at the time of her murder.

 X PROVEN
 NOT PROVEN

3. Defendant ISMAEL JUAREZ CISNEROS committed Count Two of the Indictment to prevent Brenda Paz, also known as "Smiley," from and to retaliate against her for assisting in the investigation and prosecution of MS-13 members for their criminal activity.

 X PROVEN
 NOT PROVEN

4. Defendant ISMAEL JUAREZ CISNEROS attempted to obstruct justice after murdering Brenda Paz, also known as "Smiley," by threatening to kill anyone who revealed to law enforcement details of his and others' departure from the Holiday Inn Fair Oaks with Brenda Paz, also known as "Smiley," on July 13, 2003.

 PROVEN
 X NOT PROVEN

5. The impact of the loss of Brenda Paz, also known as "Smiley," on her family is an aggravating factor.

<input type="checkbox"/>	PROVEN
<input checked="" type="checkbox"/>	NOT PROVEN

As to COUNT THREE (Killing a Person Aiding a Federal Investigation):

1. Defendant ISMAEL JUAREZ CISNEROS has engaged in a pattern of criminal activity including, but not limited to, the following:

- (a) Defendant ISMAEL JUAREZ CISNEROS, a citizen of Mexico, has repeatedly entered the United States illegally. On or about February 13, 2004, defendant CISNEROS pled guilty to illegal re-entry after deportation.

- (b) On or about April 17, 1999, defendant ISMAEL JUAREZ CISNEROS stabbed a fifteen-year-old victim four times in the back and once in the wrist at the Fairfax Towne Center shopping center in retaliation for the victim preventing co-defendant Oscar Antonio Grande from further assaulting a fellow student at school. On or about August 10, 1999, defendant CISNEROS pled guilty for this conduct.

- (c) On or about July 2, 2003, defendant ISMAEL JUAREZ CISNEROS sold a 12-gauge, pistol-grip shotgun loaded with four rounds of ammunition to a confidential informant.

- (d) On or about July 25, 2003, defendant ISMAEL JUAREZ CISNEROS sold a .45 caliber pistol, ammunition, and cocaine to a confidential informant.

- (e) On or about October 15, 2003, defendant ISMAEL JUAREZ CISNEROS sold a .45 caliber pistol and cocaine to an undercover agent with the Bureau of Alcohol, Tobacco, Firearms and Explosives.

- (f) On or about October 29, 2003, defendant ISMAEL JUAREZ CISNEROS sold a .380 caliber pistol and cocaine to a confidential informant.

- (g) On or about November 4, 2003, defendant ISMAEL JUAREZ CISNEROS sold a .38 caliber revolver, which was loaded, and cocaine to an undercover agent with the Bureau of Alcohol, Tobacco, Firearms and Explosives.

(h) On or about November 18, 2003, officers conducted a search of the residence occupied by defendant ISMAEL JUAREZ CISNEROS and recovered cocaine, tools of the drug trade, and ammunition.

 X PROVEN
 NOT PROVEN

2. Defendant ISMAEL JUAREZ CISNEROS murdered Brenda Paz, also known as "Smiley," while knowing that she was pregnant at the time of her murder.

 X PROVEN
 NOT PROVEN

3. Defendant ISMAEL JUAREZ CISNEROS committed Count Three of the Indictment to prevent Brenda Paz, also known as "Smiley," from and to retaliate against her for assisting in the investigation and prosecution of MS-13 members for their criminal activity.

 X PROVEN
 NOT PROVEN

4. Defendant ISMAEL JUAREZ CISNEROS attempted to obstruct justice after murdering Brenda Paz, also known as "Smiley," by threatening to kill anyone who revealed to law enforcement details of his and others' departure from the Holiday Inn Fair Oaks with Brenda Paz, also known as "Smiley," on July 13, 2003.

 PROVEN
 X NOT PROVEN

5. The impact of the loss of Brenda Paz, also known as "Smiley," on her family is an aggravating factor.

<hr/>	PROVEN
<hr/> X <hr/>	NOT PROVEN

As to COUNT FOUR (Tampering With a Witness or an Informant):

1. Defendant ISMAEL JUAREZ CISNEROS has engaged in a pattern of criminal activity including, but not limited to, the following:

- (a) Defendant ISMAEL JUAREZ CISNEROS, a citizen of Mexico, has repeatedly entered the United States illegally. On or about February 13, 2004, defendant CISNEROS pled guilty to illegal re-entry after deportation.

- (b) On or about April 17, 1999, defendant ISMAEL JUAREZ CISNEROS stabbed a fifteen-year-old victim four times in the back and once in the wrist at the Fairfax Towne Center shopping center in retaliation for the victim preventing co-defendant Oscar Antonio Grande from further assaulting a fellow student at school. On or about August 10, 1999, defendant CISNEROS pled guilty for this conduct.

- (c) On or about July 2, 2003, defendant ISMAEL JUAREZ CISNEROS sold a 12-gauge, pistol-grip shotgun loaded with four rounds of ammunition to a confidential informant.

- (d) On or about July 25, 2003, defendant ISMAEL JUAREZ CISNEROS sold a .45 caliber pistol, ammunition, and cocaine to a confidential informant.

- (e) On or about October 15, 2003, defendant ISMAEL JUAREZ CISNEROS sold a .45 caliber pistol and cocaine to an undercover agent with the Bureau of Alcohol, Tobacco, Firearms and Explosives.

- (f) On or about October 29, 2003, defendant ISMAEL JUAREZ CISNEROS sold a .380 caliber pistol and cocaine to a confidential informant.

- (g) On or about November 4, 2003, defendant ISMAEL JUAREZ CISNEROS sold a .38 caliber revolver, which was loaded, and cocaine to an undercover agent with the Bureau of Alcohol, Tobacco, Firearms and Explosives.

(h) On or about November 18, 2003, officers conducted a search of the residence occupied by defendant ISMAEL JUAREZ CISNEROS and recovered cocaine, tools of the drug trade, and ammunition.

 X PROVEN
 NOT PROVEN

2. Defendant ISMAEL JUAREZ CISNEROS murdered Brenda Paz, also known as "Smiley," while knowing that she was pregnant at the time of her murder.

 X PROVEN
 NOT PROVEN

3. Defendant ISMAEL JUAREZ CISNEROS committed Count Four of the Indictment to prevent Brenda Paz, also known as "Smiley," from and to retaliate against her for assisting in the investigation and prosecution of MS-13 members for their criminal activity.

 X PROVEN
 NOT PROVEN

4. Defendant ISMAEL JUAREZ CISNEROS attempted to obstruct justice after murdering Brenda Paz, also known as "Smiley," by threatening to kill anyone who revealed to law enforcement details of his and others' departure from the Holiday Inn Fair Oaks with Brenda Paz, also known as "Smiley," on July 13, 2003.

 PROVEN
 X NOT PROVEN

5. The impact of the loss of Brenda Paz, also known as "Smiley," on her family is an aggravating factor.

PROVEN
 NOT PROVEN

As to COUNT FIVE (Retaliating Against a Witness or an Informant):

1. Defendant ISMAEL JUAREZ CISNEROS has engaged in a pattern of criminal activity including, but not limited to, the following:

- (a) Defendant ISMAEL JUAREZ CISNEROS, a citizen of Mexico, has repeatedly entered the United States illegally. On or about February 13, 2004, defendant CISNEROS pled guilty to illegal re-entry after deportation.

- (b) On or about April 17, 1999, defendant ISMAEL JUAREZ CISNEROS stabbed a fifteen-year-old victim four times in the back and once in the wrist at the Fairfax Towne Center shopping center in retaliation for the victim preventing co-defendant Oscar Antonio Grande from further assaulting a fellow student at school. On or about August 10, 1999, defendant CISNEROS pled guilty for this conduct.

- (c) On or about July 2, 2003, defendant ISMAEL JUAREZ CISNEROS sold a 12-gauge, pistol-grip shotgun loaded with four rounds of ammunition to a confidential informant.

- (d) On or about July 25, 2003, defendant ISMAEL JUAREZ CISNEROS sold a .45 caliber pistol, ammunition, and cocaine to a confidential informant.

- (e) On or about October 15, 2003, defendant ISMAEL JUAREZ CISNEROS sold a .45 caliber pistol and cocaine to an undercover agent with the Bureau of Alcohol, Tobacco, Firearms and Explosives.

- (f) On or about October 29, 2003, defendant ISMAEL JUAREZ CISNEROS sold a .380 caliber pistol and cocaine to a confidential informant.

- (g) On or about November 4, 2003, defendant ISMAEL JUAREZ CISNEROS sold a .38 caliber revolver, which was loaded, and cocaine to an undercover agent with the Bureau of Alcohol, Tobacco, Firearms and Explosives.

(h) On or about November 18, 2003, officers conducted a search of the residence occupied by defendant ISMAEL JUAREZ CISNEROS and recovered cocaine, tools of the drug trade, and ammunition.

 X PROVEN
 NOT PROVEN

2. Defendant ISMAEL JUAREZ CISNEROS murdered Brenda Paz, also known as "Smiley," while knowing that she was pregnant at the time of her murder.

 X PROVEN
 NOT PROVEN

3. Defendant ISMAEL JUAREZ CISNEROS committed Count Five of the Indictment to prevent Brenda Paz, also known as "Smiley," from and to retaliate against her for assisting in the investigation and prosecution of MS-13 members for their criminal activity.

 X PROVEN
 NOT PROVEN

4. Defendant ISMAEL JUAREZ CISNEROS attempted to obstruct justice after murdering Brenda Paz, also known as "Smiley," by threatening to kill anyone who revealed to law enforcement details of his and others' departure from the Holiday Inn Fair Oaks with Brenda Paz, also known as "Smiley," on July 13, 2003.

 PROVEN
 X NOT PROVEN

5. The impact of the loss of Brenda Paz, also known as "Smiley," on her family is an aggravating factor.

PROVEN
 NOT PROVEN

REGARDLESS OF WHETHER YOU HAVE ANSWERED "PROVEN" OR "NOT PROVEN" TO ANY OF THE QUESTIONS IN SECTION II, YOU MUST PROCEED TO SECTION III WHICH FOLLOWS ON THE NEXT PAGE.

SECTION III. MITIGATING FACTORS

DIRECTIONS FOR SECTION III:

- In this section, please 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 with regard to each of the capital counts. You will note each question requires a count of the number of jurors who vote that such finding has been made. If no jurors vote that such a finding has been made, indicate so by placing a "0" in the space provided.
- Your vote as a jury need not be unanimous with regard to each question in this section. A finding with respect to a mitigating factor 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 agree that the factor has been established.

Ismael Juarez Cisneros has alleged the following mitigating factors in his background or character, the circumstances of the crimes, or other relevant facts or circumstances 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. ISMAEL JUAREZ CISNEROS' 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 charges against him;

NUMBER OF JURORS WHO SO FIND 1

2. ISMAEL JUAREZ CISNEROS was under unusual and substantial duress, regardless of whether the duress was of such a degree as to constitute a defense to the charges against him;

NUMBER OF JURORS WHO SO FIND 1

3. ISMAEL JUAREZ CISNEROS committed the offense under severe mental or emotional disturbance;

NUMBER OF JURORS WHO SO FIND 3

4. Another Defendant or Defendants, equally culpable in the crime will not be punished by death;

NUMBER OF JURORS WHO SO FIND 0

5. That should the jury so direct, ISMAEL JUAREZ CISNEROS 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

6. That a sentence of life imprisonment without the possibility of release is severe and exacts both significant physical restraint and hardship as well as great psychological pain, particularly because ISMAEL JUAREZ CISNEROS is left for years to contemplate his wrongdoing and to feel the loss of his children and family;

NUMBER OF JURORS WHO SO FIND 9

7. That given his jail record and the fact that ISMAEL JUAREZ CISNEROS has adapted well to the prison environment, he will not present a risk to prison officials or other inmates and will make an excellent adjustment to prison if he is sentenced to life imprisonment without the possibility of release;

NUMBER OF JURORS WHO SO FIND 5

8. That ISMAEL JUAREZ CISNEROS has performed numerous acts of kindness and generosity for his family, his child Maria Isabel and Jorge Gomez, the son of Maria Gomez who ISMAEL JUAREZ CISNEROS treats as his own, through which he has demonstrated that there are other human beings for whom he cares;

NUMBER OF JURORS WHO SO FIND 12

9. That ISMAEL JUAREZ CISNEROS' children, mother and siblings will be adversely affected if he is executed;

NUMBER OF JURORS WHO SO FIND 12

10. That ISMAEL JUAREZ CISNEROS is active in his daughter Maria Isabel's life and in the life of Maria Gomez' son Jorge;

NUMBER OF JURORS WHO SO FIND 11

11. That ISMAEL JUAREZ CISNEROS was raised in an environment of poverty and financial hardship;

NUMBER OF JURORS WHO SO FIND 12

12. That ISMAEL JUAREZ CISNEROS was subjected to emotional and physical abuse, abandonment and neglect as a child, including violence and brutality toward himself, his siblings, and his mother, and was deprived of the parental guidance and protection which he needed;

NUMBER OF JURORS WHO SO FIND 12

13. That ISMAEL JUAREZ CISNEROS suffers from neurological impairments which should have been identified and which could have been treated when he was a child and adolescent;

NUMBER OF JURORS WHO SO FIND 5

14. That ISMAEL JUAREZ CISNEROS suffers from brain dysfunction which has impaired his ability to function in the absence of strong support and guidance;

NUMBER OF JURORS WHO SO FIND 3

15. That ISMAEL JUAREZ CISNEROS suffers from a severe susceptibility to alcohol and drug abuse;

NUMBER OF JURORS WHO SO FIND 3

16. That ISMAEL JUAREZ CISNEROS meets the diagnostic criteria for a finding of mental retardation;

NUMBER OF JURORS WHO SO FIND 1

17. That ISMAEL JUAREZ CISNEROS was introduced to addictive drugs and alcohol as a child;

NUMBER OF JURORS WHO SO FIND 11

18. That ISMAEL JUAREZ CISNEROS grew up in an impoverished, brutal neighborhood wherein he was exposed to extreme violence, including the murder of his closest friend, as a child and throughout his life;

NUMBER OF JURORS WHO SO FIND 9

19. That ISMAEL JUAREZ CISNEROS was the victim of sexual abuse as a child;

NUMBER OF JURORS WHO SO FIND 8

20. That ISMAEL JUAREZ CISNEROS was exposed to graphic sexual behavior as a child;

NUMBER OF JURORS WHO SO FIND 9

21. That ISMAEL JUAREZ CISNEROS' father was physically and emotionally abusive to ISMAEL JUAREZ CISNEROS and his siblings, depriving him of a positive male role model during his formative years;

NUMBER OF JURORS WHO SO FIND 11

22. That ISMAEL JUAREZ CISNEROS suffered from multiple traumatic brain injuries as a child;

NUMBER OF JURORS WHO SO FIND 10

23. That ISMAEL JUAREZ CISNEROS suffers from deficient intelligence, neuropsychological deficits and other problems for which he never received adequate intervention and care;

NUMBER OF JURORS WHO SO FIND 3

24. That ISMAEL JUAREZ CISNEROS has endured multiple insults to his central nervous system (including loss of consciousness, physical abuse and substance abuse);

NUMBER OF JURORS WHO SO FIND 12

25. That ISMAEL JUAREZ CISNEROS' cognitive and neurological deficits made it more likely that he would behave impulsively and without insight or judgment;

NUMBER OF JURORS WHO SO FIND 4

26. That ISMAEL JUAREZ CISNEROS obtained a sense of acceptance and belonging from his involvement in MS-13;

NUMBER OF JURORS WHO SO FIND 12

27. That at the time of the offense, ISMAEL JUAREZ CISNEROS was youthful, although not under the age of 18;

NUMBER OF JURORS WHO SO FIND 4

28. That ISMAEL JUAREZ CISNEROS' eagerness to be accepted by the members of MS-13 allowed him to be easily manipulated by other gang members;

NUMBER OF JURORS WHO SO FIND 9

29. That ISMAEL JUAREZ CISNEROS committed the offenses for which he has been convicted based upon his sincere but misguided belief that his conduct was mandated by the rules of MS-13;

NUMBER OF JURORS WHO SO FIND 1

30. That ISMAEL JUAREZ CISNEROS cared for Brenda Paz as a person and attempted to discourage others from agreeing to her murder;

NUMBER OF JURORS WHO SO FIND 2

31. That prior to his involvement with MS-13, ISMAEL JUAREZ CISNEROS had not been convicted of any criminal offense;

NUMBER OF JURORS WHO SO FIND 10

32. That ISMAEL JUAREZ CISNEROS was effectively raised and indoctrinated in the rules and behavior of MS-13 which promoted a culture of criminal activity and violence;

NUMBER OF JURORS WHO SO FIND 1

33. That, despite his strong need for acceptance by members of MS-13, ISMAEL JUAREZ CISNEROS voluntarily waived his constitutional right to silence and fully cooperated with law enforcement when interviewed regarding the murder of Brenda Paz and provided law enforcement with significant information that greatly assisted the United States in the prosecution of ISMAEL JUAREZ CISNEROS and others for the murder of Brenda Paz;

NUMBER OF JURORS WHO SO FIND 7

34. That other members of MS-13 who were involved in the conspiracy to murder Brenda Paz will not be punished by death;

NUMBER OF JURORS WHO SO FIND 11

35. That ISMAEL JUAREZ CISNEROS cooperated with law enforcement despite the fact that his cooperation placed himself and his family at risk of retaliation by MS-13;

NUMBER OF JURORS WHO SO FIND 2

36. That ISMAEL JUAREZ CISNEROS, as a result of his cooperation with law enforcement, has severed his ties to MS-13;

NUMBER OF JURORS WHO SO FIND 1

37. That ISMAEL JUAREZ CISNEROS has repeatedly expressed remorse for his role in the murder of Brenda Paz in his conversations with members of MS-13 and with law enforcement;

NUMBER OF JURORS WHO SO FIND 12

The following extra spaces are provided to write in additional mitigating factors, if any, found 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.

1. Ismael Juarez Cisneros made repeated offers to
speak out to youth against gang activity and involvement.

NUMBER OF JURORS WHO SO FIND 9

2. This crime was committed in a remote area so as not
to traumatize the community.

NUMBER OF JURORS WHO SO FIND 1

3. Defendant's prior convictions were non capital.

NUMBER OF JURORS WHO SO FIND 9

4. Defendant Ismael Juarez Cisneros was subject to severe socio economic constraints while residing in the United States.

Number of Jurors who so Find 1

5. Defendant Ismael Juarez Cisneros resided in a community that lacked adequate community based programs and resources to address his needs as a central American immigrant to the United States.

Number of Jurors who so Find 1

6. This crime was against one of their own group who shared a common ideologic philosophy and understood the group's rules.

Number of Jurors who so Find 5

7. Life in prison without release will give defendant the opportunity to reach out to the hispanic aspects youth on the negative aspects of gang activities and involvement.

Number of Jurors who so Find 11

SECTION IV. DETERMINATION OF SENTENCE

DIRECTIONS: In this section, enter your determination of the defendant's sentence with regard to each of the five capital counts. Your vote as a jury must be unanimous with regard to death. If the jury is not unanimous with respect to death, the sentence will be life imprisonment without the possibility of release.

Based upon consideration of whether the aggravating factors found to exist sufficiently outweigh any mitigating factor or factors found to exist to justify a sentence of death, or, in the absence of any mitigating factors, whether the aggravating factors alone are sufficient to justify a sentence of death:

As to COUNT ONE:

- _____ We unanimously sentence the defendant to death
- _____ We unanimously sentence the defendant to life imprisonment without the possibility of release
- _____ We are unable to agree unanimously as to a sentence of death and therefore understand that the defendant will be sentenced to life imprisonment without the possibility of release

As to COUNT TWO:

- _____ We unanimously sentence the defendant to death
- _____ We unanimously sentence the defendant to life imprisonment without the possibility of release
- _____ We are unable to agree unanimously as to a sentence of death and therefore understand that the defendant will be sentenced to life imprisonment without the possibility of release

As to COUNT THREE:

_____ We unanimously sentence the defendant to death

_____ We unanimously sentence the defendant to life imprisonment
without the possibility of release

 X
_____ We are unable to agree unanimously as to a sentence of death and
therefore understand that the defendant will be sentenced to life
imprisonment without the possibility of release

As to COUNT FOUR:

_____ We unanimously sentence the defendant to death

_____ We unanimously sentence the defendant to life imprisonment
without the possibility of release

 X
_____ We are unable to agree unanimously as to a sentence of death and
therefore understand that the defendant will be sentenced to life
imprisonment without the possibility of release

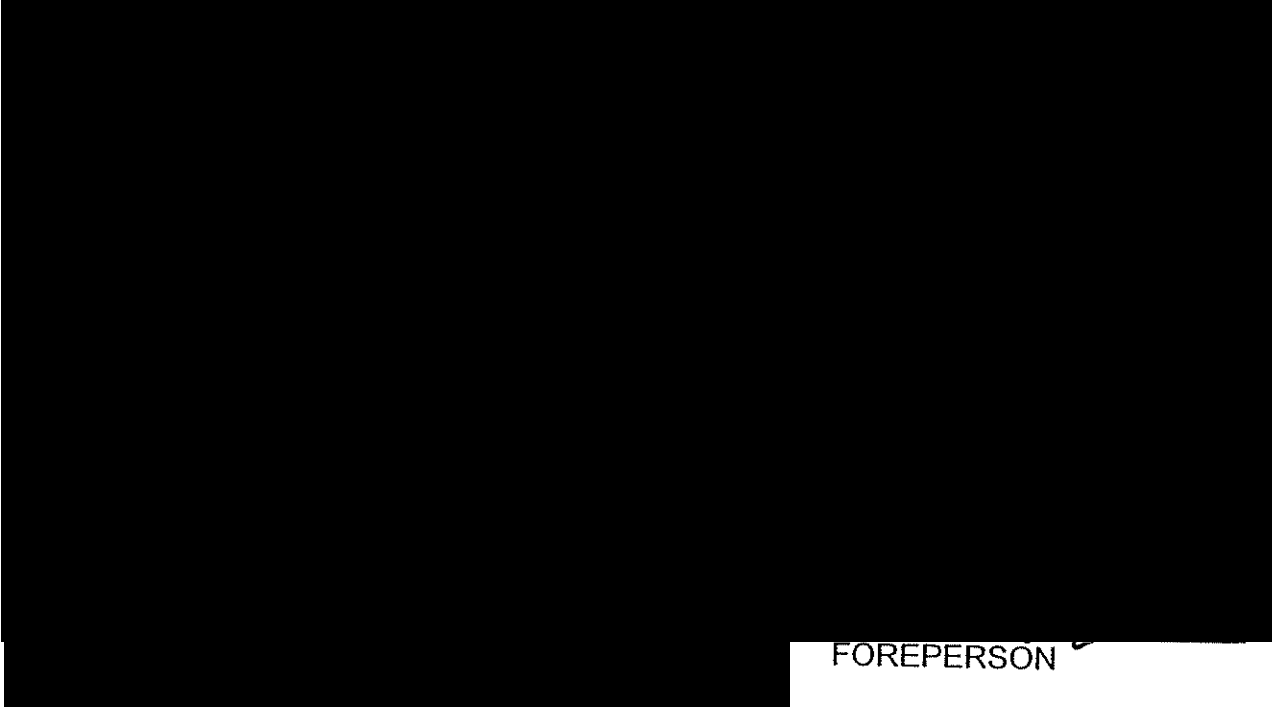
As to COUNT FIVE:

_____ We unanimously sentence the defendant to death

_____ We unanimously sentence the defendant to life imprisonment
without the possibility of release

 X
_____ We are unable to agree unanimously as to a sentence of death and
therefore understand that the defendant will be sentenced to life
imprisonment without the possibility of release

Each juror must sign below, indicating that the above sentence determination reflects the jury's unanimous decision:



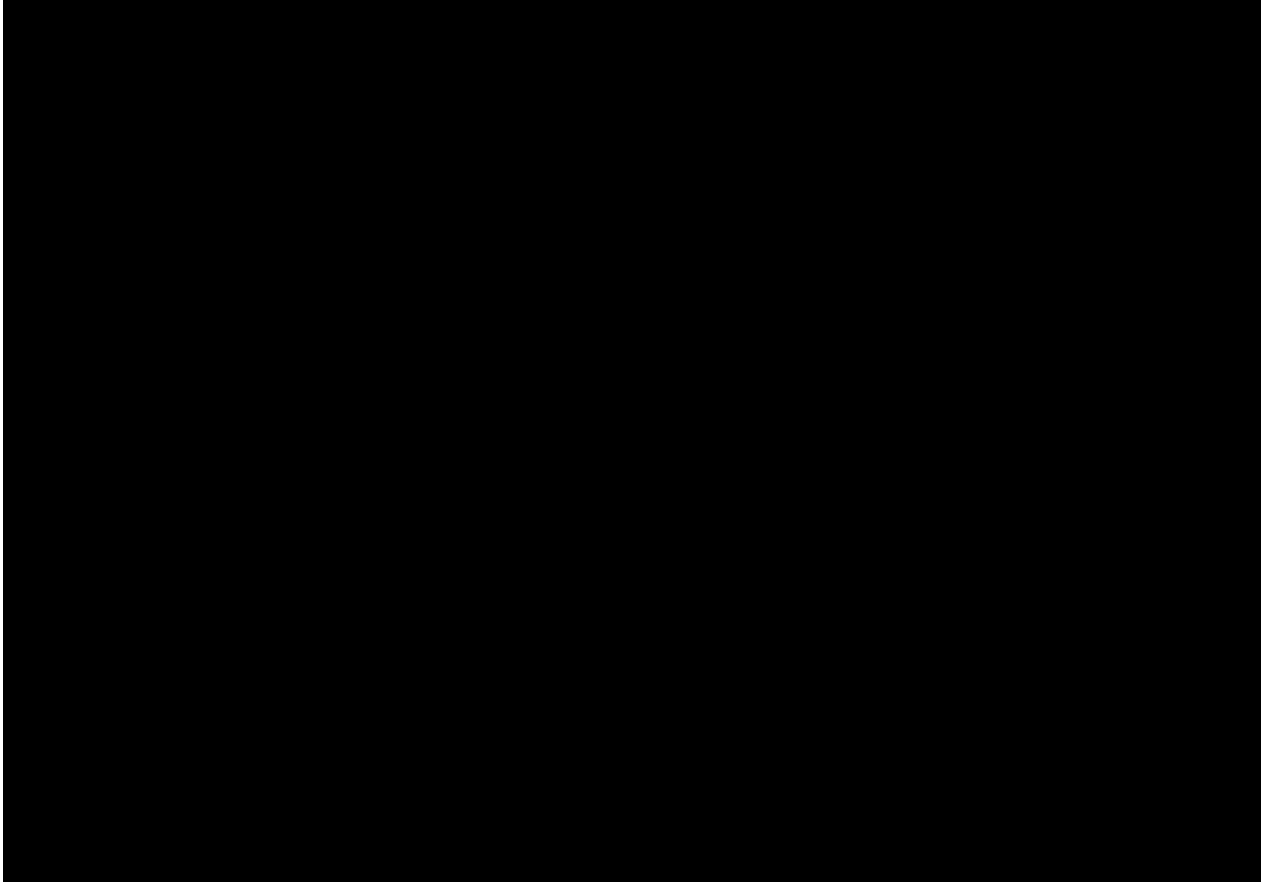
FOREPERSON ✓

DATE: 14 June 2005, 2005.

CONTINUE TO SECTION V

SECTION V: 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.



FOREPERSON

DATE: 14 June 2005, 2005.