

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
HOT SPRINGS DIVISION

JUN 06 1997

CHRIS R. JOHNSON, CLERK
by: *Dale Ramsey*
Deputy Clerk

UNITED STATES OF AMERICA

v.

Criminal No. 96-60023-001

TRINITY EDWARD INGLE

SPECIAL VERDICT FORM

I. AGE OF DEFENDANT

Instructions: Answer "YES" or "NO."

Do you, the jury, unanimously find that the government has established beyond a reasonable doubt that the defendant was, at the time of the offenses, eighteen (18) years of age or older?

YES Yes
NO _____



FOREPERSON

Instructions: If you answered "NO" with respect to the determination in this section, then stop your deliberations, cross out Sections II, III, IV, V and VI of this form, 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

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her decision. You should then advise the court that you have reached a decision.

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

II. REQUISITE MENTAL STATE

Instructions: For the following, answer "YES" or "NO."

Do you, the jury, unanimously find that the government has established beyond a reasonable doubt that the defendant intentionally aided and abetted in the killing of Sherman Williams?

YES yes

NO _____



FOREPERSON

Instructions: If you answered "NO" with respect to the determination in this section, then stop your deliberations, cross out Sections III, IV, V and VI of this form, 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. You should then advise the court that you have reached a decision.

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

III. STATUTORY AGGRAVATING FACTORS

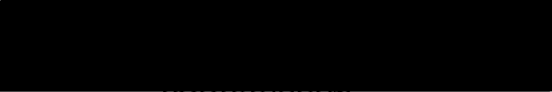
Instructions : For each of the following, answer "YES" or "NO."

Do you, the jury, unanimously find that the government has established the existence of any of the following aggravating factors beyond a reasonable doubt:

(1) That the defendant committed the offenses in an especially heinous, cruel or depraved manner in that they involved torture or serious physical abuse to Sherman Williams?

YES Yes

NO _____


FOREPERSON

(2) That the defendant committed the offenses in the expectation of the receipt of something of pecuniary value?

YES Yes

NO _____



FOREPERSON

(3) That Sherman Williams was particularly vulnerable due to old age?

YES Yes

NO _____



FOREPERSON

Instructions: If you answered "NO" with respect to all of the Statutory Aggravating Factors in this Section III, then stop your deliberations, cross out Section IV, V, and VI of this form, and proceed to Section VII of this form. 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. You should then advise the court that you have reached a decision.

If you answered "YES" with respect to one or more aggravating factor in Section III, then continue your deliberations in accordance with the Court's instructions and proceed to Section IV which follows.

IV. NON-STATUTORY AGGRAVATING FACTORS

Instructions: For each of the following answer "YES" or "NO."

Do you, the jury, unanimously find that the government has established the existence of the following aggravating factor beyond a reasonable doubt:

(1) That the defendant is likely to commit criminal acts of violence in the future which would be a continuing and serious threat to society?

YES *je*
NO _____



FOREPERSON


(2) That the defendant has committed, attempted to commit, and/or threatened to commit other acts of violence in addition to the capital offenses committed in this case, including but not limited to one or more of the following:

(a) On or about June 15, 1995, the defendant threatened individuals with a handgun.

(b) The defendant has two prior firearms convictions and two prior burglary convictions.

YES Yes

NO _____


FOREPERSON

(3) That Sherman Williams was killed to prevent the defendant from being identified as a participant in the robbery?

YES Yes

NO _____


FOREPERSON

(4) That the defendant has demonstrated a lack of remorse for the capital offenses committed in this case, by statements and/or actions, including but not limited to one or more of the following:

(a) The defendant laughed about the murder.

(b) The defendant spoke about the murder in terms of doing business and the victim being in the wrong place at the wrong time.

YES yes

NO _____

[REDACTED]
FOREPERSON

(5) (a) That the victim had personal characteristics as an individual human being including but not limited to one or more of the following:

- (1) Father
- (2) Grandfather
- (3) College Graduate
- (4) Retired State Director of the FmHA
- (5) Avid fisherman, photographer and jogger
- (6) United States Army veteran

YES yes

NO _____

[REDACTED]
FOREPERSON

(5) (b) That the family of the victim has suffered injury and loss, as a result of the victim's death, including but not limited to one or more of the following:

- (1) Disruption of order
- (2) Reality of violence
- (3) A stunning, troubling experience
- (4) Indescribable feeling of loss

YES Yes

NO _____


FOREPERSON

Instructions: Regardless of whether you answered "YES" or "NO" with respect to the Non-Statutory Aggravating Factors in this Section IV, continue your deliberations in accordance with the court's instructions and proceed to Section V, which follows.

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 information. If you choose not to make these written findings, cross out each page of Section V 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 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 concur that the factor has been established.

Do you find, from a preponderance of the evidence, any of the following:

(1) That defendant's participation in the offense was relatively minor?

Numbers of jurors who so find 0 (none)

(2) That defendant does not have a significant prior history of other criminal conduct?

Numbers of jurors who so find 0 (none)

(3) That defendant committed the offense while experiencing emotional disturbance?

Numbers of jurors who so find 0 (none)

(4) Any other factors in defendant's background or character that mitigate against imposition of the death sentence.

Numbers of jurors who so find 11 (eleven)

The following are additional non-statutory factors in the defendant's background or character, or circumstances of the crime, or other relevant facts or circumstances which may be mitigating factors:

1. Parental abandonment.

Number of jurors who so find 10 (ten)

2. Physical abuse.

Number of jurors who so find 4 (four)

3. Maternal emotional abuse and rejection.

Number of jurors who so find 11 (eleven)

4. Chaotic instability.

Number of jurors who so find 8 (eight)

5. Modeled irresponsibility.

Number of jurors who so find 8 (eight)

6. Observed domestic violence.

Number of jurors who so find 10 (ten)

7. Modeled criminal involvement.

Number of jurors who so find 5 (five)

8. Identification with troubled peers.

Number of jurors who so find 4 (four)

9. Alcohol and drug dependence.

Number of jurors who so find 2 (two)

10. Methamphetamine enhanced violent responses.

Number of jurors who so find 0 (none)

11. Youthfulness.

Number of jurors who so find 1 (one)

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.

~~____. _____~~ NONE

~~Number of jurors who so find _____.~~

~~____. _____~~

~~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 choose 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.

VI. DETERMINATION

A. 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 determine, by unanimous vote, that a sentence of death shall be imposed.

YES _____

NO 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):

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
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_____	_____



Date: June 6, 1997

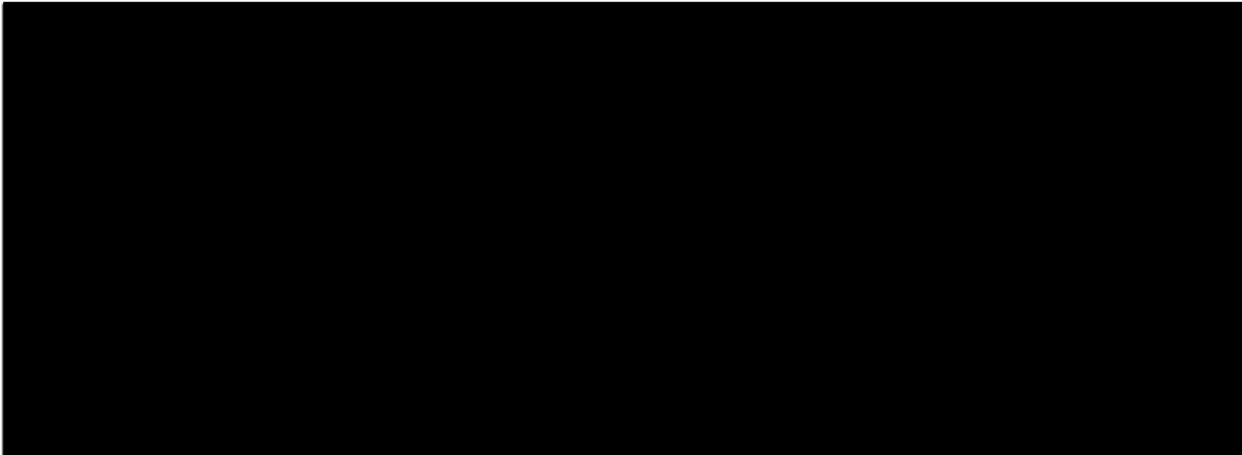
B. Sentence of Life in Prison Without Possibility of Release

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 determine, by unanimous vote, that a sentence of life in prison without possibility of release shall be imposed.

YES YES

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 (C):



Date: June 6, 1997

C. Sentence Lesser than the Death Sentence or 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 determine, by unanimous vote, that a sentence lesser than death or life in prison without possibility of release shall be imposed.

YES _____

NO _____

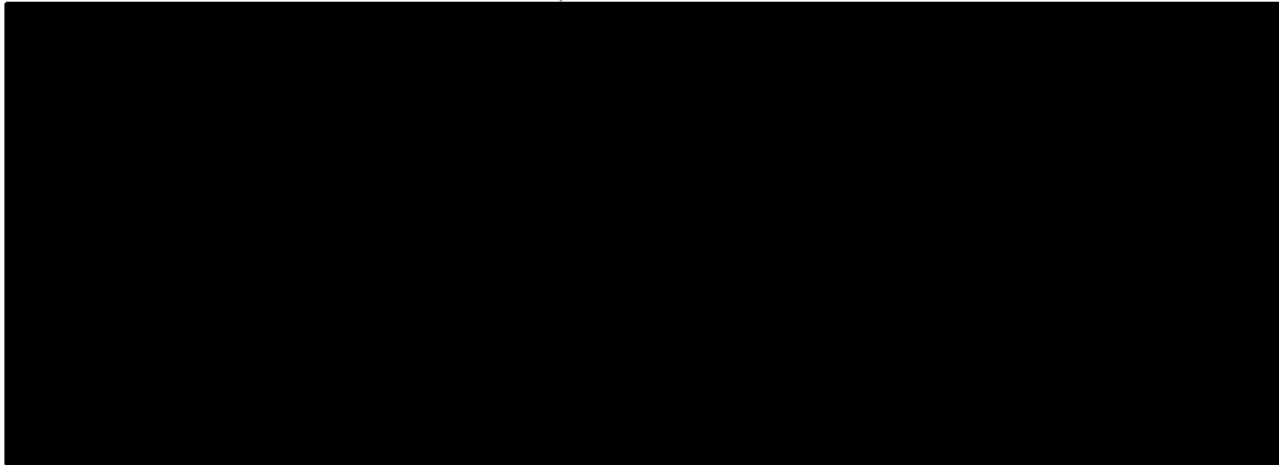
If you have answered this question, sign your names here, and then proceed to Section VII:

FOREPERSON

Date: June ____, 1997

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 no matter what the race, color, religious beliefs, national origin, or sex of the defendant, or the victim, would have been.



Date: June 8, 1997