

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

UNITED STATES OF AMERICA,	)	
	)	No. 96 CR 379-1
vs.	)	Hon. Suzanne B. Conlon
	)	SPECIAL FINDINGS
DARRYL LAMONT JOHNSON	)	

**Part I. Findings of Intent as to the killing of Charles Banks**

We the jury unanimously find beyond a reasonable doubt that the defendant DARRYL LAMONT JOHNSON intentionally engaged in conduct intending that Charles Banks be killed or that lethal force be employed against Charles Banks, which resulted in the death of Charles Banks.



FOREPERSON

If you do not unanimously so find, have the foreperson sign Decision Form A, all jurors sign the Certificate and report the decision to the Court and deliberate no more as to the killing of Charles Banks. If you do unanimously so find, proceed to Part II.

**Part II. Statutory Aggravating Factors as to the killing of Charles Banks**

(To be proved by the government **beyond a reasonable doubt**)

You may only continue with your deliberations as to the killing of Charles Banks if you find one of the four aggravating circumstances listed below proved to the jury's unanimous satisfaction and beyond a reasonable doubt with respect to the killing of Charles Banks. If you do not find any of these four aggravating factors to have been proven beyond a reasonable doubt, then the foreperson should sign Decision Form A as to the killing of Charles Banks, all jurors sign the Certificate and report the decision to the Court and deliberate no more as to the killing of Charles Banks. If you do unanimously find one or more of these four aggravating factors as to the killing of Charles Banks, then proceed to Part III:

(1) DARRYL LAMONT JOHNSON procured the killing of Charles Banks by payment, or promise of payment, of anything of pecuniary value.

Proved to the jury's unanimous satisfaction \_\_\_\_\_

Unable to reach unanimous agreement \_\_\_\_\_ /

(2) DARRYL LAMONT JOHNSON caused the killing of Charles Banks after substantial planning and premeditation.

Proved to the jury's unanimous satisfaction \_\_\_\_\_ /

Unable to reach unanimous agreement \_\_\_\_\_

(3) DARRYL LAMONT JOHNSON caused the killing of Charles Banks in the course of engaging in a continuing criminal enterprise involving the distribution of drugs to persons under the age of 21.

Proved to the jury's unanimous satisfaction \_\_\_\_\_ /

Unable to reach unanimous agreement \_\_\_\_\_

(4) DARRYL LAMONT JOHNSON caused the killing of Charles

Banks after a previous conviction of a state felony involving the use of a firearm against another person, to wit: voluntary manslaughter.

Proved to the jury's unanimous satisfaction

✓

Unable to reach unanimous agreement

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FOREPERSON

**Part III. Non-statutory Aggravating Factor as to the killing of Charles Banks**

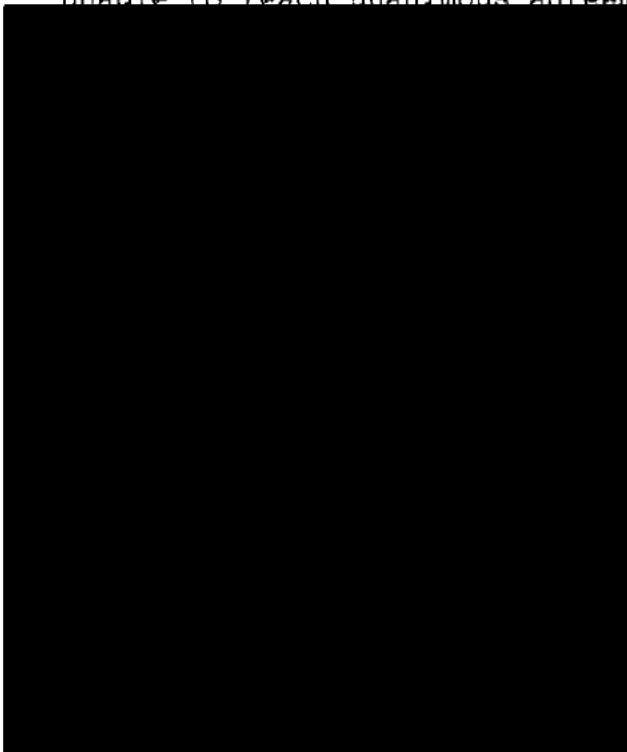
(to be proved by the government **beyond a reasonable doubt**)

If you unanimously find beyond a reasonable doubt that the following aggravating factor exists as to the killing of Charles Banks, check the appropriate line below. If you do not unanimously find beyond a reasonable doubt that the following aggravating factor exists, check the other appropriate line below:

DARRYL LAMONT JOHNSON would commit serious acts of violence in the future which would be a continuing and serious threat to society.

Proved to the jury's unanimous satisfaction

Unable to reach unanimous agreement



FOREPERSON

Regardless of the finding you have made as to this non-statutory aggravating factor, proceed to Part IV -- Mitigating Factors as to the killing of Charles Banks.

**Part IV. Mitigating Factors as to the killing of Charles Banks**  
(To be proved by the defense by a preponderance of the evidence)

1. Quan Ray, who is equally culpable in the murder of Charles "Jello" Banks, will not be punished by death.  
Number of jurors who so find: 5
2. Roger Stewart, who is equally culpable in the murder of Charles "Jello" Banks, will not be punished by death.  
Number of jurors who so find: 5
3. Travis Stephen, who is equally culpable in the murder of Charles "Jello" Banks, will not be punished by death.  
Number of jurors who so find: 6
4. Darryl Lamont Johnson will be sentenced to life in prison without any possibility of release if he is not executed.  
Number of jurors who so find: 6
5. Darryl Lamont Johnson will not be a serious and continuing danger to society because the government has the power to imprison him for the rest of his life in a maximum security federal prison designed to control and monitor his behavior.  
Number of jurors who so find: 0
6. As a young child, Darryl Lamont Johnson witnessed his father's constant and serious physical abuse of his mother.  
Number of jurors who so find: 2
7. Since before Darryl Lamont Johnson was born, his father was an alcoholic.  
Number of jurors who so find: 0
8. Darryl Lamont Johnson was abandoned by his father, emotionally and financially, at an early age.

Number of jurors who so find: 1

9. As a young child, Darryl Lamont Johnson was exposed to violence in his neighborhood.

Number of jurors who so find: 6

10. Darryl Lamont Johnson's family struggled financially during his childhood and adolescence.

Number of jurors who so find: 2

11. When Darryl Lamont Johnson was a young child, his mother was required to be outside the home for extensive periods in order to work to support the family and to secure an education.

Number of jurors who so find: 1

12. Darryl Lamont Johnson's cognitive functioning is in the borderline mentally deficient range.

Number of jurors who so find: 2

13. Darryl Lamont Johnson's low cognitive functioning resulted in his inability to obtain an adequate education.

Number of jurors who so find: 1

14. Darryl Lamont Johnson was exposed to numerous risk factors as a young child which negatively affected his functioning and development.

Number of jurors who so find: 4

15. As a young man, Darryl Lamont Johnson was incarcerated in the Illinois Department of Corrections at Menard, an institution characterized by constant violence, controlled

by gangs, and offering no opportunities for education or rehabilitation.

Number of jurors who so find: 4

16. Darryl Lamont Johnson encouraged and assisted his family members and friends to pursue an education.

Number of jurors who so find: 1

17. Darryl Lamont Johnson assisted his family and friends in times of need.

Number of jurors who so find: 2

18. Darryl Lamont Johnson has had a close and loving relationship with his mother, Brenda Smith.

Number of jurors who so find: 0

19. Darryl Lamont Johnson has had a close and loving relationship with his daughters, Bianca Gaines and Darryl Lucky Johnson.

Number of jurors who so find: 5

20. Darryl Lamont Johnson actively participated in the care of his daughters, both his natural daughter and his step-daughter, whom he raised as his own.

Number of jurors who so find: 1

21. Darryl Lamont Johnson has had a close and loving relationship with his sisters, brothers, nephews, nieces, aunts, cousins, and stepfather.

Number of jurors who so find: 1

22. Darryl Lamont Johnson's mother, Brenda Smith, will suffer

emotional trauma if he is executed.

Number of jurors who so find: 7

23. Darryl Lamont Johnson's daughters, Bianca Gaines and Darryl Lucky Johnson, will suffer emotional trauma if he is executed.

Number of jurors who so find: 6

24. Darryl Lamont Johnson's family, including his brother, sisters, nephews, nieces, aunts, cousins, and step-father will suffer emotional trauma if he is executed.

Number of jurors who so find: 4

25. Other factors in Darryl Lamont Johnson's background or character weigh against imposition of the death penalty.

Number of jurors who so find: 4

You should engage in the weighing process described in the instructions and complete the appropriate Decision Form.

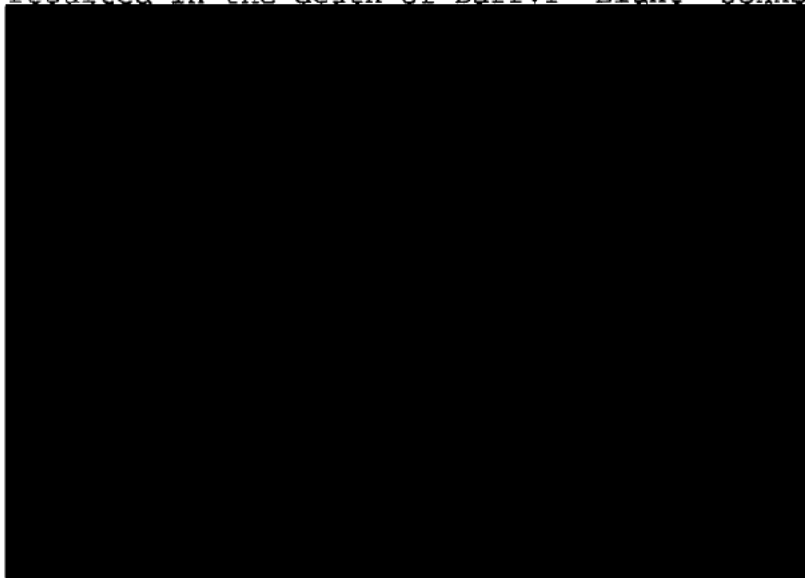


IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

UNITED STATES OF AMERICA,	)	
	)	No. 96 CR 379-1
vs.	)	Hon. Suzanne B. Conlon
	)	SPECIAL FINDINGS
DARRYL LAMONT JOHNSON	)	

Part I. Findings of Intent as to the killing of Darryl "Blunt" Johnson

We the jury unanimously find beyond a reasonable doubt that the defendant DARRYL LAMONT JOHNSON intentionally engaged in conduct intending that Darryl "Blunt" Johnson be killed or that lethal force be employed against Darryl "Blunt" Johnson, which resulted in the death of Darryl "Blunt" Johnson.



FOREPERSON


If you do not unanimously so find, have the foreperson sign Decision Form A, all jurors sign the Certificate and report the decision to the Court and deliberate no more as to the killing of Darryl "Blunt" Johnson. If you do unanimously so find, proceed to Part II.

**Part II. Statutory Aggravating Factors as to the killing of Darryl "Blunt" Johnson**

(To be proved by the government beyond a reasonable doubt)

You may only continue with your deliberations as to the killing of Darryl "Blunt" Johnson if you find one of the three aggravating circumstances listed below proved to the jury's unanimous satisfaction and beyond a reasonable doubt with respect to the killing of Darryl "Blunt" Johnson. If you do not find any of these three aggravating factors to have been proven beyond a reasonable doubt, then the foreperson should sign Decision Form A as to the killing of Darryl "Blunt" Johnson, all jurors sign the Certificate and report the decision to the Court and deliberate no more as to the killing of Darryl "Blunt" Johnson. If you do unanimously find one or more of these three aggravating factors as to the killing of Darryl "Blunt" Johnson, then proceed to Part III:

(1) DARRYL LAMONT JOHNSON procured the killing of Darryl "Blunt" Johnson by payment, or promise of payment, of anything of pecuniary value.

Proved to the jury's unanimous satisfaction    
Unable to reach unanimous agreement

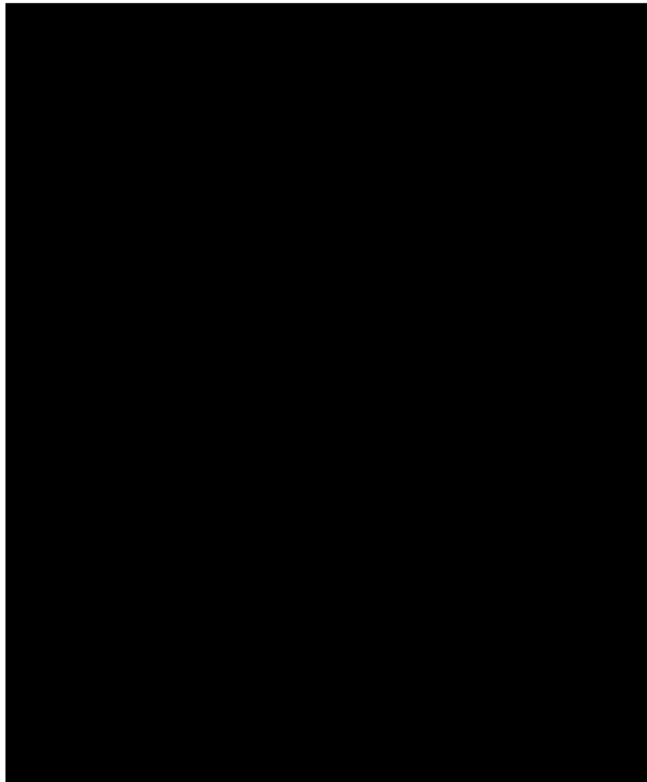
(2) DARRYL LAMONT JOHNSON caused the killing of Darryl "Blunt" Johnson after substantial planning and premeditation.

Proved to the jury's unanimous satisfaction   
Unable to reach unanimous agreement

(3) DARRYL LAMONT JOHNSON caused the killing of Darryl "Blunt" Johnson in the course of engaging in a continuing criminal enterprise involving the distribution of drugs to persons under the age of 21.

Proved to the jury's unanimous satisfaction 1/

Unable to reach unanimous agreement \_\_\_\_\_



FOREPERSON

**Part III. Non-statutory Aggravating Factors as to the killing of Darryl "Blunt" Johnson**

(to be proved by the government **beyond a reasonable doubt**)

If you unanimously find beyond a reasonable doubt that an aggravating factor listed below exists as to the killing of Darryl "Blunt" Johnson, check the appropriate line below. If you do not unanimously find beyond a reasonable doubt that an aggravating factor exists, check the other appropriate line below:

(1) DARRYL LAMONT JOHNSON would commit serious acts of violence in the future which would be a continuing and serious threat to society.

Proved to the jury's unanimous satisfaction

Unable to reach unanimous agreement

(2) DARRYL LAMONT JOHNSON's conduct in causing the killing of Darryl "Blunt" Johnson was substantially greater in degree than that described in the definition of the crime, apart from the statutory aggravating factors. The defendant acted in a vile manner in the killing of Darryl "Blunt" Johnson because he ordered the murder to obstruct justice in that the Darryl "Blunt" Johnson was a potential witness against coconspirators of the defendant and the defendant ordered the murder to prevent Darryl "Blunt" Johnson from giving any incriminating information and/or

testimony.

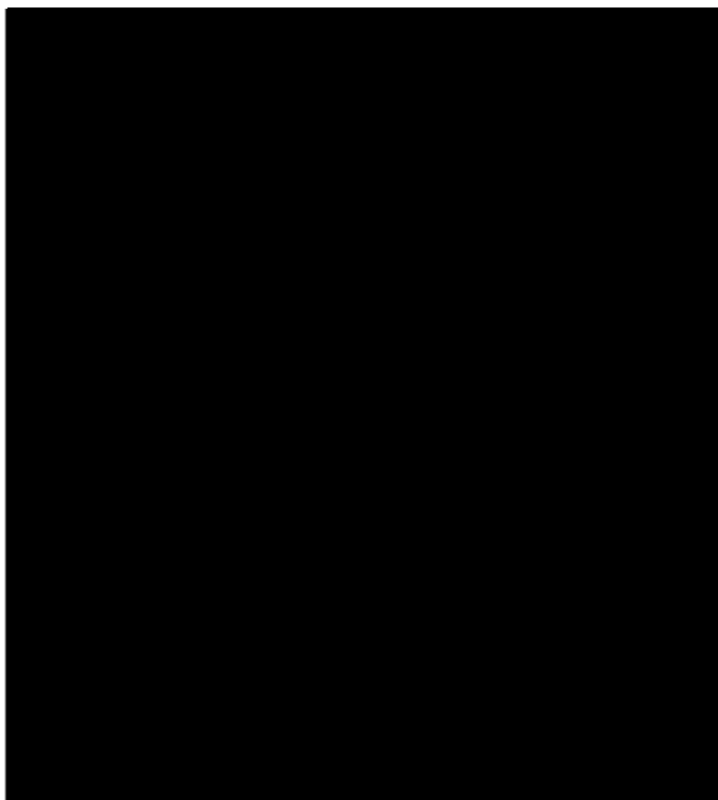
Proved to the jury's unanimous satisfaction

Unable to reach unanimous agreement

(3) DARRYL LAMONT JOHNSON caused permanent harm to the family of Darryl "Blunt" Johnson by killing him.

Proved to the jury's unanimous satisfaction

Unable to reach unanimous agreement



FOREPERSON

Regardless of the findings you have made as to these non-statutory aggravating factors, proceed to Part IV -- Mitigating Factors as to the killing of Darryl "Blunt" Johnson.

**Part IV. Mitigating Factors as to the killing of Darryl "Blunt" Johnson**

(To be proved by the defense by a preponderance of the evidence)

1. Roger Stewart, who is equally culpable in the murder of Darryl "Blunt" Johnson, will not be punished by death.  
Number of jurors who so find: 3
2. Travis Stephen, who is equally culpable in the murder of Darryl "Blunt" Johnson, will not be punished by death.  
Number of jurors who so find: 4
3. Darryl Lamont Johnson will be sentenced to life in prison without any possibility of release if he is not executed.  
Number of jurors who so find: 5
4. Darryl Lamont Johnson will not be a serious and continuing danger to society because the government has the power to imprison him for the rest of his life in a maximum security federal prison designed to control and monitor his behavior.  
Number of jurors who so find: 2
5. As a young child, Darryl Lamont Johnson witnessed his father's constant and serious physical abuse of his mother.  
Number of jurors who so find: 2
6. Since before Darryl Lamont Johnson was born, his father was an alcoholic.  
Number of jurors who so find: 0
7. Darryl Lamont Johnson was abandoned by his father, emotionally and financially, at an early age.  
Number of jurors who so find: 2
8. As a young child, Darryl Lamont Johnson was exposed to

violence in his neighborhood.

Number of jurors who so find: 8

9. Darryl Lamont Johnson's family struggled financially during his childhood and adolescence.

Number of jurors who so find: 0

10. When Darryl Lamont Johnson was a young child, his mother was required to be outside the home for extensive periods in order to work to support the family and to secure an education.

Number of jurors who so find: 0

11. Darryl Lamont Johnson's cognitive functioning is in the borderline mentally deficient range.

Number of jurors who so find: 0

12. Darryl Lamont Johnson's low cognitive functioning resulted in his inability to obtain an adequate education.

Number of jurors who so find: 5

13. Darryl Lamont Johnson was exposed to numerous risk factors as a young child which negatively affected his functioning and development.

Number of jurors who so find: 10

14. As a young man, Darryl Lamont Johnson was incarcerated in the Illinois Department of Corrections at Menard, an institution characterized by constant violence, controlled by gangs, and offering no opportunities for education or rehabilitation.

Number of jurors who so find: 3

15. Darryl Lamont Johnson encouraged and assisted his family members and friends to pursue an education.

Number of jurors who so find: 0

16. Darryl Lamont Johnson assisted his family and friends in times of need.

Number of jurors who so find: 0

17. Darryl Lamont Johnson has had a close and loving relationship with his mother, Brenda Smith.

Number of jurors who so find: 0

18. Darryl Lamont Johnson has had a close and loving relationship with his daughters, Bianca Gaines and Darryl Lucky Johnson.

Number of jurors who so find: 8

19. Darryl Lamont Johnson actively participated in the care of his daughters, both his natural daughter and his step-daughter, whom he raised as his own.

Number of jurors who so find: 0

20. Darryl Lamont Johnson has had a close and loving relationship with his sisters, brothers, nephews, nieces, aunts, cousins, and stepfather.

Number of jurors who so find: 0

21. Darryl Lamont Johnson's mother, Brenda Smith, will suffer emotional trauma if he is executed.

Number of jurors who so find: 11



22. Darryl Lamont Johnson's daughters, Bianca Gaines and Darryl Lucky Johnson, will suffer emotional trauma if he is executed.

Number of jurors who so find: 9

23. Darryl Lamont Johnson's family, including his brother, sisters, nephews, nieces, aunts, cousins, and step-father will suffer emotional trauma if he is executed.

Number of jurors who so find: 2

24. Other factors in Darryl Lamont Johnson's background or character weigh against imposition of the death penalty.

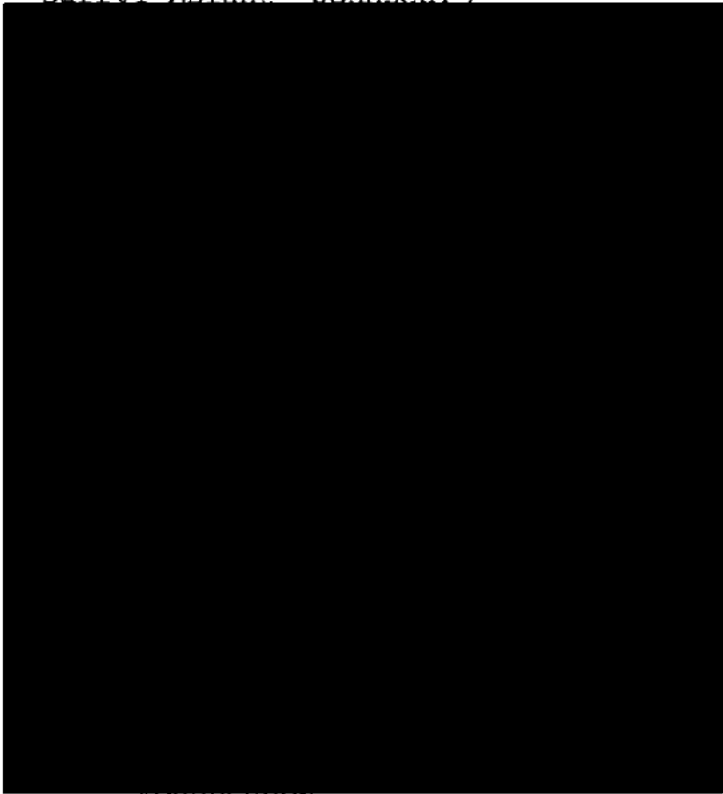
Number of jurors who so find: 0

You should engage in the weighing process described in the instructions and complete the appropriate Decision Form.

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	No. 96 CR 379-1
	)	Hon. Suzanne B. Conlon
vs.	)	
	)	DECISION FORM B
DARRYL LAMONT JOHNSON	)	
	)	
Defendant.	)	

We, the jury, as to DARRYL LAMONT JOHNSON, unanimously find beyond a reasonable doubt as to the killing of Darryl "Blunt" Johnson, the aggravating factors proved in this case sufficiently outweigh all the mitigating factors found to exist so as to justify a sentence of death. We vote unanimously that DARRYL LAMONT JOHNSON shall be sentenced to death for causing the killing of Darryl "Blunt" Johnson.



FOREPERSON

Date: 11/17/97

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	No. 96 CR 379-1
	)	Hon. Suzanne B. Conlon
vs.	)	
	)	DECISION FORM A
DARRYL LAMONT JOHNSON	)	
	)	
Defendant.	)	

We, the jury, as to DARRYL LAMONT JOHNSON, do not unanimously find proved beyond a reasonable doubt the existence of both the threshold culpability factor and a statutory aggravating circumstance as to causing the killing of Darryl "Blunt" Johnson and, therefore, do not impose the death penalty in this case for causing the killing of Darryl "Blunt" Johnson.

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FOREPERSON

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

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	No. 96 CR 379-1
	)	Hon. Suzanne B. Conlon
vs.	)	
	)	DECISION FORM C
DARRYL LAMONT JOHNSON	)	
	)	
Defendant.	)	

We, the jury, as to DARRYL LAMONT JOHNSON, having considered and evaluated the evidence presented in light of the instructions of the Court as to causing the killing of Darryl "Blunt" Johnson, are not unanimously persuaded that a death sentence should be imposed. We, therefore, return a decision that DARRYL LAMONT JOHNSON not be sentenced to death for causing the killing of Darryl "Blunt" Johnson.

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FOREPERSON

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

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	No. 96 CR 379-1
	)	Hon. Suzanne B. Conlon
vs.	)	
	)	DECISION FORM B
DARRYL LAMONT JOHNSON	)	
	)	
Defendant.	)	

We, the jury, as to DARRYL LAMONT JOHNSON, unanimously find beyond a reasonable doubt as to the killing of Charles Banks, the aggravating factors proved in this case sufficiently outweigh all the mitigating factors found to exist so as to justify a sentence of death. We vote unanimously that DARRYL LAMONT JOHNSON shall be sentenced to death for causing the killing of Charles Banks.



FOREPERSON

Date: 11/17/97

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

UNITED STATES OF AMERICA,            )  
   )  
                                   Plaintiff,    )  
   )  
                                   vs.                )  
   )  
 DARRYL LAMONT JOHNSON             )  
   )  
                                   Defendant.     )

No. 96 CR 379-1  
 Hon. Suzanne B. Conlon  
 DECISION FORM C

We, the jury, as to DARRYL LAMONT JOHNSON, having considered and evaluated the evidence presented in light of the instructions of the Court as to causing the killing of Charles Banks, are not unanimously persuaded that a death sentence should be imposed. We, therefore, return a decision that DARRYL LAMONT JOHNSON not be sentenced to death for causing the killing of Charles Banks.

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FOREPERSON

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