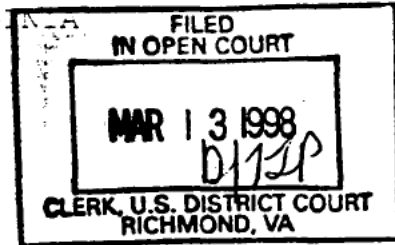


IN THE UNITED STATES DISTRICT COURT FOR THE

EASTERN DISTRICT OF VIRGINIA

RICHMOND DIVISION



UNITED STATES OF AMERICA )

v. )

Criminal No. 3:97CR169 )

RASHI TAQUE JONES, )

Defendant. )

SPECIAL VERDICT FORM

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

I. AGE OF THE DEFENDANT

Instructions: Answer "YES" or "NO."

We unanimously find that the government has established beyond a reasonable doubt that the defendant RASHI TAQUE JONES was eighteen years of age or older at the time of the offenses alleged in the Third Superseding Indictment.

YES   X    
NO



Instructions: If you answered "NO" to the age determination, then you cannot consider the sentence of death for this defendant on any count, and the court will impose a sentence other than death as authorized by law. You should stop your deliberations, cross out Sections II, III, IV, V, and VI, and proceed to Section VII of this Special Verdict Form.

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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.

II. THRESHOLD ELIGIBILITY FACTORS

Instructions: If you unanimously find that one or more of these two "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. RASHI TAQUE JONES 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           

2. RASHI TAQUE JONES 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           

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

1. RASHI TAQUE JONES 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.

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YES   X    
NO           

2. RASHI TAQUE JONES 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 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. The defendant, RASHI TAQUE JONES, was convicted on May 24, 1996, of a State offense of Larceny from the Person, occurring on or about September 12, 1995, in Richmond, Virginia, which was punishable by a term of imprisonment of more than 1 year, and involved the use or attempted or threatened use of a firearm, to wit: a sawed-off shotgun, against another person.

YES   X    
NO           

2. In committing the offense described in Count Two, and in escaping apprehension for the violation of the offense, defendant RASHI TAQUE JONES 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           

3. The defendant, RASHI TAQUE JONES, 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           

4. The defendant RASHI TAQUE JONES committed the offense

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described in Count Two after substantial planning and premeditation to cause the death of a person.

YES   X    
NO           

5. The defendant, RASHI TAQUE JONES, intentionally attempted to kill more than one person in the single criminal episode alleged in Count Two

YES   X    
NO           

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

1. The defendant, RASHI TAQUE JONES, was convicted on May 24, 1996, of a State offense of Larceny from the Person, occurring on or about September 12, 1995, in Richmond, Virginia, which was punishable by a term of imprisonment of more than 1 year, and involved the use or attempted or threatened use of a firearm, to wit: a sawed-off shotgun, against another person.

Yes   X    
No           

2. In committing the offense described in Count Four, and in escaping apprehension for the violation of the offense, defendant RASHI TAQUE JONES 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

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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 May 7, 1992, in Richmond, Virginia, defendant RASHI TAQUE JONES brandished a Marksman BB pistol near a business establishment, and fled from a police officer when confronted by him.

YES   X    
NO           

2. On or about November 21, 1994, defendant RASHI TAQUE JONES was found guilty of Breaking and Entering and Grand Larceny relating to offenses occurring on July 2, 1994 in Richmond, Virginia.

YES   X    
NO           

3. On or about November 21, 1994, defendant RASHI TAQUE JONES was found guilty of robbing a 70 year old woman on September 9, 1994, in Richmond Virginia.

YES   X    
NO           

4. While under Court supervision, defendant RASHI TAQUE JONES committed further violations of the law for which he was convicted.

YES   X    
NO

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5. On or about March 5, 1996, defendant RASHI TAQUE JONES was convicted in Chesterfield County, Virginia, of Possession with the Intent to Distribute Marijuana occurring on or about December 3, 1995.

YES     X      
NO           

6. On or about March 12, 1996, defendant RASHI TAQUE JONES was convicted of carrying a concealed weapon, to-wit, a .380 semiautomatic pistol on or about February 9, 1996, in Richmond, Virginia.

YES     X      
NO           

7. On or about May 22, 1996, defendant RASHI TAQUE JONES was convicted of Grand Larceny Auto, arising out of a Burglary of, and Grand Larceny from, D. R. Frick Auto Sales in Richmond, Virginia, which he committed while armed with a .380 caliber semiautomatic pistol on or about February 9, 1996.

YES     X      
NO           

8. On or about March 19, 1997, in Richmond, Virginia, defendant RASHI TAQUE JONES was arrested for a violation of probation, and at the time had unlawfully in his possession a .38 caliber revolver.

YES     X      
NO           

9. On or about April 10, 1997, the Circuit Court for the City of Richmond, Virginia, revoked defendant RASHI TAQUE JONES'S



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probation for violating the terms and conditions set by the Court for his release on the conviction of Grand Larceny of an automobile.

YES   X    
NO           

10. On or about April 30, 1997, the Circuit Court for the City of Richmond, Virginia, revoked defendant RASHI TAQUE JONES'S probation for violating the terms and conditions set by the Court for his release on the conviction of Larceny from the Person.

YES   X    
NO           

11. While on supervised probation for his convictions of Larceny from the Person, and of Grand Larceny, defendant RASHI TAQUE JONES committed the offenses on January 30, 1997, as alleged in the Third Superseding Indictment.

YES   X    
NO           

12. Defendant RASHI TAQUE JONES armed himself with semi-automatic assault 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 the bank robbery on January 30, 1997.

YES   X    
NO           

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

YES   X    
NO

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

YES   X    
NO           

15. On January 30, 1997, defendant RASHI TAQUE JONES 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 two electrical cords which were part of the implements of the criminal activity.

YES   X    
NO           

16. During in or about February and March of 1997, in Richmond, Virginia, defendant RASHI TAQUE JONES attempted to exchange money he had taken from the bank for "clean" money by buying and then selling drugs.

YES   X    
NO           

17. Defendant RASHI TAQUE JONES has expressly exhibited a lack of remorse toward the death of Lori A. Robinson.

YES   X    
NO           

18. Defendant RASHI TAQUE JONES indicated a desire to kill an individual who he believed was cooperating with the Government.

YES   X    
NO

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19. The defendant, RASHI TAQUE JONES, 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, as exhibited by, but not limited to, the following incidents:

(a) Conspiracy to escape:

(1) In or about mid-October, 1997, defendant RASHI TAQUE JONES, while in custody of the United States Marshal at the Piedmont Regional Jail, Farmville, Virginia, did agree and conspire with other inmates to escape from that detention facility.

(2) In or about mid-October, 1997, defendant RASHI TAQUE JONES, along with others, while in custody of the United States Marshal at the Piedmont Regional Jail, Farmville, Virginia, made plans to receive tools and weapons from confederates who would position themselves outside the perimeter of the outdoor recreation yard of the jail in order to pass the weapons and tools to the inmates. It was the intention of RASHI TAQUE JONES and the others to use the weapons to take correctional officers hostage, and to use the tools to cut through the fence surrounding the recreation yard; all in an effort to effectuate their escape.

(b) Assault on an inmate:

(1) On or about November 29, 1997, in the Piedmont Regional Jail, defendant RASHI TAQUE JONES, along with another inmate, physically assaulted another inmate.

(c) Possession of a weapon:

(1) On or about December 17, 1997, in the Piedmont Regional Jail, defendant RASHI TAQUE JONES did possess a weapon, to-wit: a shank made from the metal taken from a set of headphones which was concealed inside an ink pen.

YES \_\_\_\_\_  
NO Y

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21. The Government further gives notice that in support of the imposition of the death penalty it intends to rely 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, RASHI TAQUE JONES, his moral culpability, his future dangerousness, and the nature and circumstances of the offense charged in Count Two 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 aggravating factor in Section III above as to one or both counts.

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. RASHI TAQUE JONES 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  .

2. RASHI TAQUE JONES does not have a significant prior history of other criminal conduct.

Number of jurors who so find   0  .

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

1. RASHI TAQUE JONES 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

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so minor as to constitute a defense to the charge.

Number of jurors who so find   0  .

2. RASHI TAQUE JONES does not have a significant prior history of other criminal conduct.

Number of jurors who so find   0  .

C. NON-STATUTORY MITIGATING FACTORS

Instructions: RASHI TAQUE JONES 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 at the time of the killings, Rashi Taque Jones was youthful, although not under the age of 18;

Number of jurors who so find   0  .

2) That on Count 2 of the Indictment, if Rashi Taque Jones is not sentenced to death, he will be sentenced to life in prison without any possibility of release;

Number of jurors who so find   0  .

3) That Rashi Taque Jones will not represent a continuing danger to society;

Number of jurors who so find   0  .

4) That certain negative family circumstances during multiple and critical stages of Rashi Taque Jones' development rendered Rashi vulnerable to influences which led him to criminal activity;

Number of jurors who so find   7  .

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5) That the decision of Rashi Taque Jones to become involved in the criminal activity which led to the homicide in this case was influenced by one or more areas in which he was raised, and by the epidemic of drug trafficking and violence that has engulfed inner-city African American youth;

Number of jurors who so find  7 .

6) That Rashi Taque Jones' father fostered the defendant's interest in the drug culture by being involved in the drug trafficking culture during the defendant's formative years and soliciting Rashi's friends to sell drugs for him;

Number of jurors who so find  5 .

7) That Rashi Taque Jones lost two male mentors during his teenage years, one a member of his extended family and the other a teacher at his high school;

Number of jurors who so find  1 .

8) That the environment at Huguenot High School contributed to Rashi Taque Jones' involvement with persons who were involved in criminal activity;

Number of jurors who so find  4 .

9) That Rashi Taque Jones attempted to leave the Richmond area in order to remove himself from criminal influence but was rejected by his father;

Number of jurors who so find  9 .

10) That Rashi Taque Jones has adjusted to incarceration;

Number of jurors who so find  0 .

11) That Rashi Taque Jones has previously adjusted to a highly structured environment, namely the "shock incarceration program," or "Boot Camp."

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Number of jurors who so find 10.

12) That Rashi Taque Jones will not constitute a threat to prison guards while incarcerated;

Number of jurors who so find 0.

13) That Rashi Taque Jones has been a good father to his son, Rashi Tybel Branch;

Number of jurors who so find 0.

14) That Rashi Taque Jones has exhibited acts of kindness toward persons outside his immediate family;

Number of jurors who so find 10.

15) That Rashi Taque Jones' life has considerable value to members of his family and extended family as well as to members of his community;

Number of jurors who so find 0.

16) 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;

Number of jurors who so find 0.

17) [Consider this factor only if you decide that defendant Lafawn Dewayne Bobbitt will not be sentenced to the death penalty.] That Lafawn Dewayne Bobbitt, being at least equally culpable as Rashi Taque Jones, was not sentenced to the death penalty;

Number of jurors who so find 11.

18) That other factors in Rashi Taque Jones' childhood, background or character mitigate against imposition of the death sentence.

Number of jurors who so find 0.



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

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 \_\_\_\_\_.~~

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 factors exist in either the "threshold eligibility factors" (Section II of this form) and/or the statutory aggravating factors (Section III of this form) 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 RASHI TAQUE JONES 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 factor" or statutory aggravating factor 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 exists as to count Two, then you should proceed to recommend an appropriate punishment as set forth below.

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2. Death Sentence

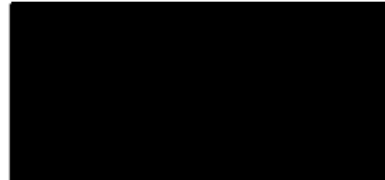
Based upon consideration of whether the aggravating factors found to exist sufficiently outweigh any mitigating factor or factors found to exist, or in the absence of any mitigating factors, whether the aggravating factors are themselves sufficient to justify a sentence of death, we recommend, by unanimous vote, that a sentence of death shall be imposed upon the defendant RASHI TAQUE JONES 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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Date: March 13, 1998.

3. Sentence of Life in Prison Without Possibility of Release

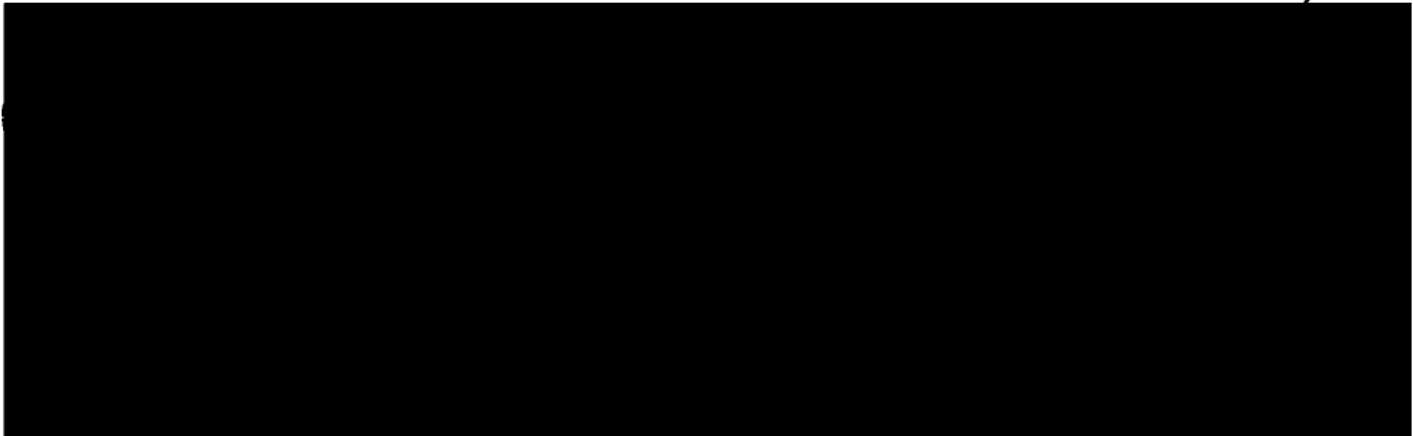
Based upon consideration of whether the aggravating factors found to exist sufficiently outweigh any mitigating factor or factors found to exist, or in the absence of any mitigating factors, whether the aggravating factors are themselves sufficient to justify a sentence of death, we recommend, by unanimous vote, that a sentence of life imprisonment without possibility of release shall be imposed upon the defendant RASHI

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

YES   X    
NO           

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.



Date: March 13, 1998.

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 factors" (Section II of this form) and/or statutory aggravating factors (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 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 murder of Lori A. Robinson, for which RASHI TAQUE JONES has been convicted

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in Count Four.

\_\_\_\_\_  
FOREPERSON

Date: March \_\_, 1998.

Instructions: If you have been unable to unanimously find 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.

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 RASHI TAQUE JONES 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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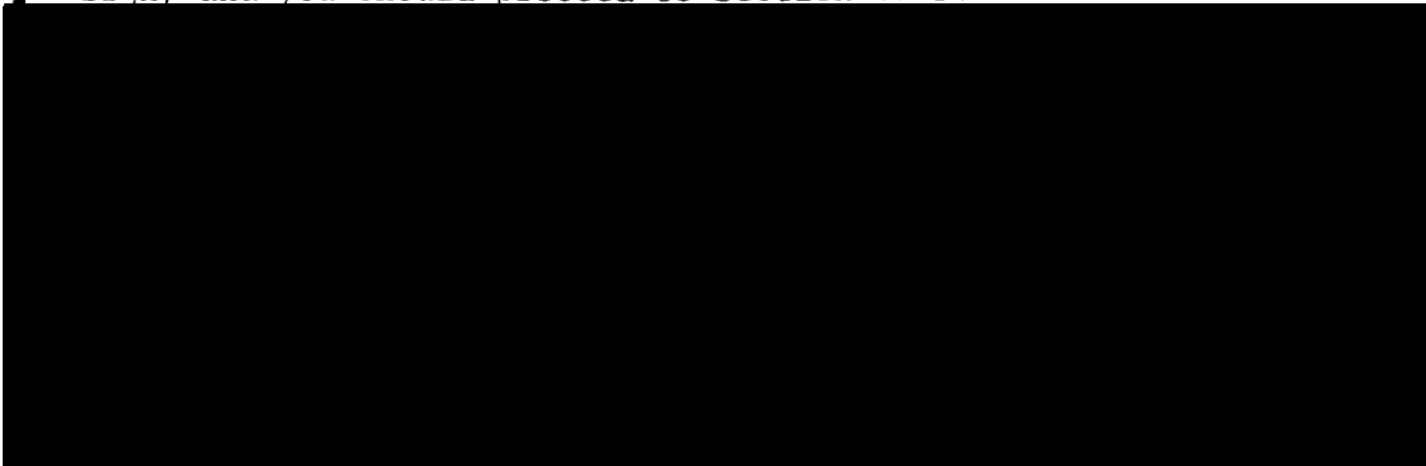
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3. Sentence of Life in Prison Without Possibility of Release

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 RASHI TAQUE JONES 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.



**Jones Special Verdict Form**

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 RASHI TAQUE JONES 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 Section VII. If you answer "NO," the foreperson alone should sign, and you should proceed to Section VII.

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FOREPERSON

Date: March \_\_, 1998.

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 RASHI TAQUE JONES 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:

