

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

JUN 25 1997

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

UNITED STATES OF AMERICA

v.

Criminal No. 96-60022-001

JEFFERY WILLIAM PAUL

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

NO



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

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.

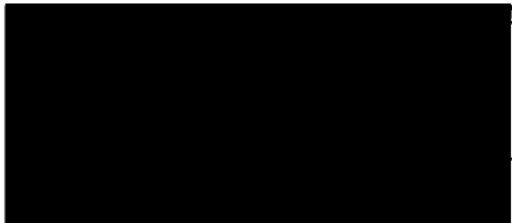
**II. REQUISITE MENTAL STATE**

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

NO



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**

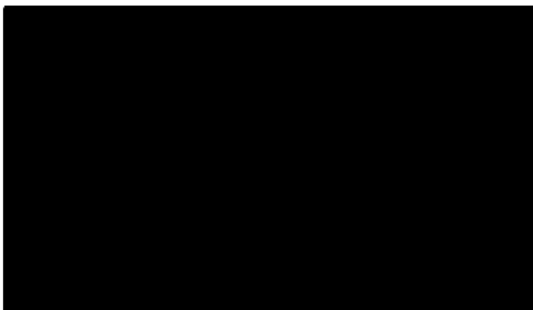
Instructions : For each of the following, answer "YES" or "NO."

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  \_\_\_\_\_

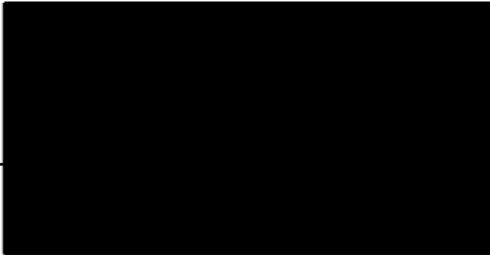
NO \_\_\_\_\_



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

YES ✓

NO           



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

YES ✓

NO           



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  \_\_\_\_\_

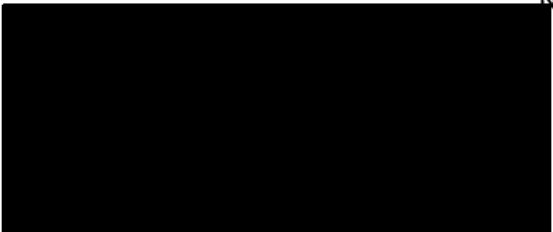
NO \_\_\_\_\_



(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 the following:

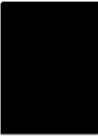
- (a) An attempted armed robbery/murder at the Tri-States Liquor Store, Hot Springs, Arkansas on or about June 8, 1995.

YES \_\_\_\_\_  
NO   ✓  



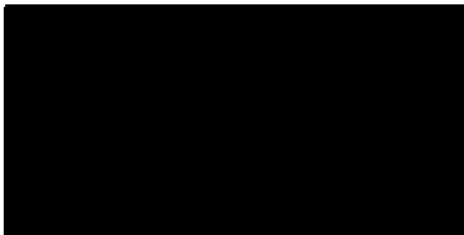
(3) That the defendant successfully eluded capture by the Federal Bureau of Investigation until his arrest in Mississippi on August 22, ~~1995~~ 1996.

YES   ✓    
NO \_\_\_\_\_



(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 stated that he did not feel bad about the murder.
- (b) The defendant stated the victim begged for his life.
- (c) The defendant referred to the victim in vulgar terms.



YES       ✓        
NO

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

YES   ✓  

NO           

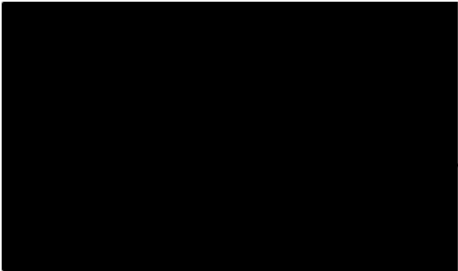


(6) (a) That the victim had personal characteristics as an individual human being including but not limited to one or more of the following:

- (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   ✓  

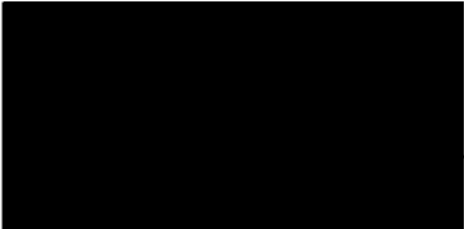
NO           





(6) (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

NO

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.

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

Numbers of jurors who so find 0.

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

Numbers of jurors who so find 0.

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

Numbers of jurors who so find 3.

(5) That another defendant, Trinity Edward Ingle -- equally culpable -- will not be punished by death.

Numbers of jurors who so find 0.

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. That defendant experienced parental neglect, abandonment and corruptive influence.

Number of jurors who so find 12.

2. That defendant experienced parental abdication as to holding defendant accountable for his behavior.

Number of jurors who so find 12.

3. That defendant experienced chaotic family instability.

Number of jurors who so find 12.

4. That defendant experienced modeled parental irresponsibility.

Number of jurors who so find 8.

5. That defendant identified with criminally convicted peers.

Number of jurors who so find 12.

6. That defendant reversed parental roles with his mother.

Number of jurors who so find 0.

7. That defendant was youthful at the time of the offense.

Number of jurors who so find 6.

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.

WITNESSED SHOOTING IN MALL

Number of jurors who so find 6.

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

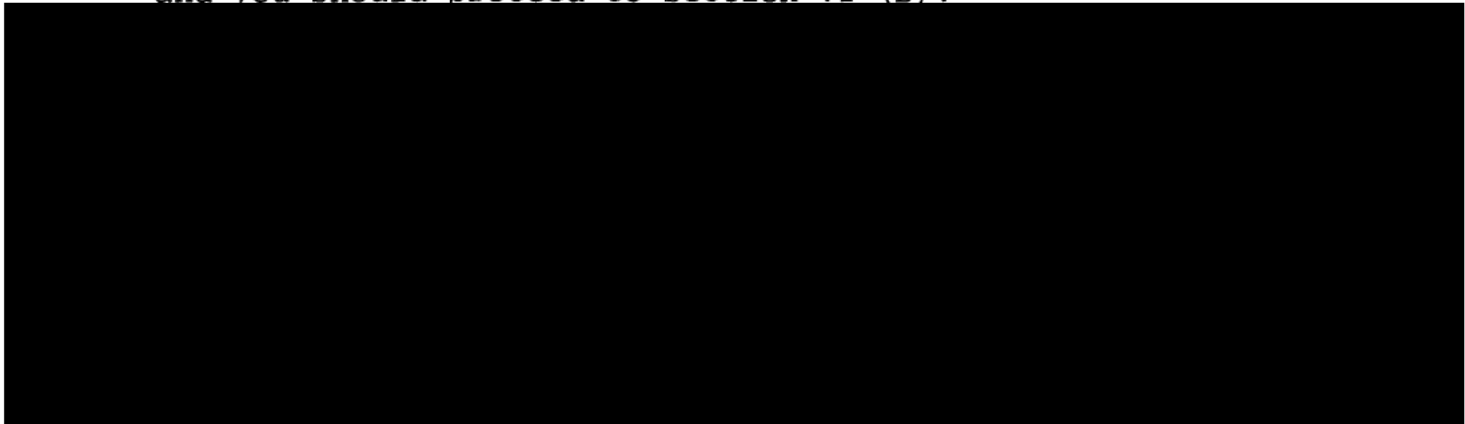
**A. Death Sentence**

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 \_\_\_\_\_

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):



Date: June 25; 1967

**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 \_\_\_\_\_

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. If you answer "No," then the Court will sentence the defendant as provided by law.


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

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 25, 1997