

SPECIAL VERDICT FORM

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
HAMMOND DIVISION

UNITED STATES OF AMERICA,

v.

STYLES TAYLOR

CAUSE NO. : 2:01-CR-0073

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:

Styles Taylor was eighteen years of age or older at the time of the murder offense.

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 then 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 this Section I, proceed to Section II which follows.

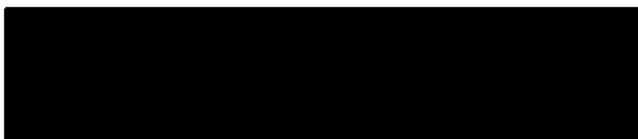
II. REQUISITE MENTAL STATE

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

1(A) Do you, the jury, unanimously find that the government has established beyond a reasonable doubt that Styles Taylor 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 the victim Frank Freund died as a direct result of the act?

YES _____

NO _____ ✓



Foreperson

1(B) Do you, the jury, unanimously find that the government has established beyond a reasonable doubt that Styles Taylor 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 the victim Frank Freund died as a direct result of the act?



Foreperson

YES _____
NO _____

Instructions: If you answered "NO" with respect to all of the determinations in this section (Section II), 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 one or more of the determinations in this Section II, proceed to Section III which follows.

III. STATUTORY AGGRAVATING FACTORS

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

1. Do you, the jury, unanimously find that the government has established beyond a reasonable doubt that at the time of the commission of the murder offense Styles Taylor had previously been convicted of a Federal or State offense punishable by a term of imprisonment of more than 1 year, involving the use or attempted or threatened use of a firearm against another person (Joanne Schofield) in the robbery of Fast Lane Foods, as set out in Instruction 7 above?

YES

NO

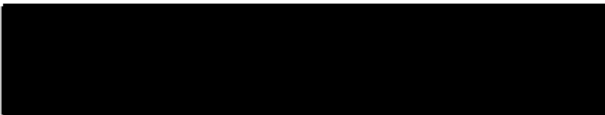


Foreperson

2. Do you, the jury, unanimously find that the government has established beyond a reasonable doubt that Styles Taylor committed the murder offense in an especially heinous, cruel, or depraved manner in that it involved serious physical abuse to the victim Frank Freund?

YES

NO



Foreperson

3. Do you, the jury, unanimously find that the government has established beyond a reasonable doubt that Styles Taylor committed the murder offense as consideration for the receipt or in the expectation of the receipt of anything of pecuniary value, that is, the firearms which were the object of the robbery of Firearms Unlimited?

YES ✓

NO _____

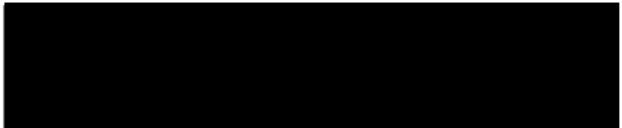


Foreperson

4. Do you, the jury, unanimously find that the government has established beyond a reasonable doubt that Styles Taylor committed the murder offense after substantial planning and premeditation to cause the death of Frank Freund?

YES _____

NO ✓

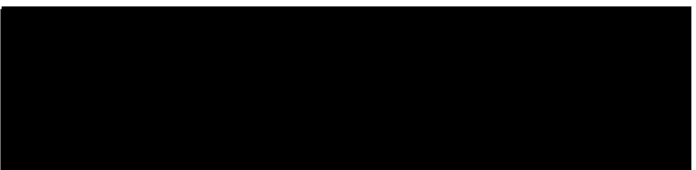


Foreperson

5. Do you, the jury, unanimously find that the government has established beyond a reasonable doubt that at the time Styles Taylor committed the murder offense against Frank Freund, Frank Freund was particularly vulnerable due to his old age and infirmities, substantial hearing loss and a pacemaker?

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 Sections IV, V, and VI of this form, and proceed to Section VII of this form. Each juror should then 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 found the requisite age in Section I, the requisite mental state in Section II and answered "Yes" with respect to one or more of the aggravating factors in this Section III, proceed to Section IV which follows.

IV. NON-STATUTORY AGGRAVATING FACTORS

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

1. Do you, the jury, unanimously find that the government has established beyond a reasonable doubt Styles Taylor's past criminal conduct consisting of two juvenile adjudications for burglary and one juvenile adjudication for robbery involving a firearm, and that this factor tends to support imposition of the death penalty?

YES

NO

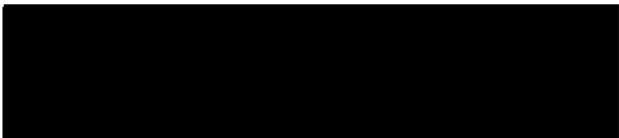


Foreperson

2. Do you, the jury, unanimously find that the government has established beyond a reasonable doubt Styles Taylor's history of conduct violations while incarcerated in a penal facility, and that this factor tends to support imposition of the death penalty?

YES

NO



Foreperson

3. Do you, the jury, unanimously find that the government has established beyond a reasonable doubt that Styles Taylor was on parole at the time of the commission of the offense in this case, and that this factor tends to support imposition of the death penalty?



Foreperson.

YES _____
NO _____

4. Do you, the jury, unanimously find that the government has established beyond a reasonable doubt that Styles Taylor was a parole violator at the time of the commission of the offense in this case, and that this factor tends to support imposition of the death penalty?



YES _____
NO _____

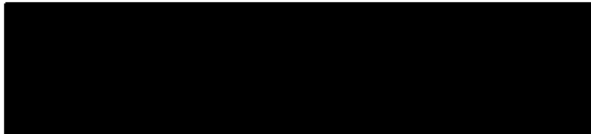
5. Do you, the jury, unanimously find that the government has established beyond a reasonable doubt Styles Taylor's conduct constituting violations of his state parole including but not limited to four positive drug tests in violation of his conditions of parole, and that this factor tends to support imposition of the death penalty?



Foreperson

YES _____
NO _____

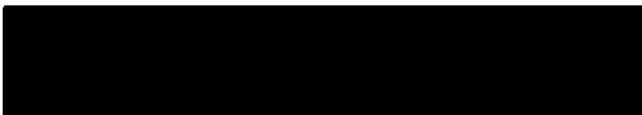
6. Do you, the jury, unanimously find that the government has established beyond a reasonable doubt that on or about May, 2001, Styles Taylor possessed a firearm after having a felony conviction and was convicted in the Northern District of Indiana, District Court, of that offense, and that this factor tends to support imposition of the death penalty?



Foreperson

YES _____
NO _____

7. Do you, the jury, unanimously find that the government has established beyond a reasonable doubt that Styles Taylor is likely to commit criminal acts of violence in the future which would be a continuing and serious threat to the lives and safety of other persons, and that this factor tends to support imposition of the death penalty?



Foreperson

YES _____
NO _____

8. Victim Impact Evidence

Do you, the jury, unanimously find that the government has established beyond a reasonable doubt that the defendant caused injury, harm, and loss to the entire Freund Family as demonstrated by the victim's personal characteristics as an individual human being and the impact of the death upon the victim's family and that this factor tends to support imposition of the death penalty?



Foreperson

YES _____
NO _____

Instructions: Regardless of whether you answered "YES" or "NO" with respect to the Non-Statutory Aggravating Factors in this Section IV, 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 evidence. 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.

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. Further, any juror may also weigh a mitigating factor found by another juror, even if he or she did not also find that factor to be mitigating. In the space provided, please indicate the number of jurors who have found the existence of that mitigating factor to be proven by a preponderance of the evidence:

1. Styles Taylor's capacity to appreciate the wrongfulness of his conduct or to conform his conduct to the requirements of the law was significantly impaired by his limited intelligence.

Number of jurors who so find _____

2. Styles Taylor is punishable as a principal in the offense, which was committed by another, but his participation may have been relatively minor, regardless of whether the participation was so minor as to constitute a defense to the charge.

Number of jurors who so find _____

3. Another defendant, Damione Thomas, equally culpable in the crime, and will not be punished by death.

Number of jurors who so find _____.

4. Styles Taylor demonstrated severe learning problems in school, which led to academic failure, increased frustration, and eventual dropout.

Number of jurors who so find _____

5. Styles Taylor was not an organizer or leader of the gun store robbery.

Number of jurors who so find _____

6. There is uncertainty as to whether Styles Taylor or some other participant shot Frank Freund.

Number of jurors who so find _____

7. The murder alleged to have been committed by Styles Taylor was not premeditated.

Number of jurors who so find _____

8. Since his arrest on April 11, 2000, Styles Taylor has been incarcerated and that in this structured environment, he has not been involved in any acts of violence against any other person.

Number of jurors who so find _____

9. Executing Styles Taylor will cause his children, Xavion and Lexus, and other family members to suffer grief and loss.

Number of jurors who so find _____

10. Styles Taylor suffered the deaths of many close friends and family as a child.

Number of jurors who so find _____

11. Styles Taylor grew up in an impoverished violent and brutal environment, and was exposed to extreme violence as a child and throughout his life

Number of jurors who so find _____

12. Styles Taylor's childhood was dominated by physical abuse, drug abuse by his mother, alcoholism by his mother, and poverty.

Number of jurors who so find _____

13. Styles Taylor's mother nor his father provided parental guidance and protection.

Number of jurors who so find _____

14. Styles Taylor was raised in a house where there was ongoing criminal activity, including prostitution by his mother, drug abuse, and domestic violence.

Number of jurors who so find _____

15. Styles Taylor was neglected in his youth, allowing him to run the street and teaching him the ways of the street at an early age.

Number of jurors who so find _____

16. Styles Taylor was the victim of his mother's explosive and inconsistent temper; as a consequence he was subject to inconsistent and confusing forms of discipline by his mother.

Number of jurors who so find _____

17. Styles Taylor's mother hated him so much she gave him to a relative when he was an infant so that she could enjoy life without him.

Number of jurors who so find _____

18. The law mandates that if Styles Taylor is not sentenced to death, he will be subject to life in prison without the possibility of release.

Number of jurors who so find _____

19. Styles Taylor was only nineteen years old at the time the offense was committed.

Number of jurors who so find _____

The law does not limit your consideration of mitigating factors to those that can be articulated in advance. Therefore, you may consider during your deliberations any other factor or factors in Styles Taylor's background, record, character, or any other circumstances of the offense that mitigate against the imposition of a death sentence.

The following extra space is provided to write in additional mitigating factors, if any, found by any one or more jurors. If any are found, also indicate the number of jurors who so find. 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.

____. _____

Number of jurors who find ____.

____. _____

Number of jurors who find ____.

____. _____

Number of jurors who find ____.

____. _____

Number of jurors who find ____.

Instructions:

Regardless of whether you chose to make written findings for the Mitigating Factors in Section V above, proceed to Section VI and Section VII which follow.

VI. DETERMINATION

Based upon consideration of whether the aggravating factor(s) 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 are themselves sufficient to justify a sentence of death, and whether death is therefore the appropriate sentence in this case:

A. Death Sentence

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

YES _____

NO ✓

If you answer "YES," each juror must sign here, and you must then proceed to Section VII. If you answer "NO," the foreperson must sign, and you must then proceed to Section VI(B):

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



FOREPERSON

Date: 11/15/04

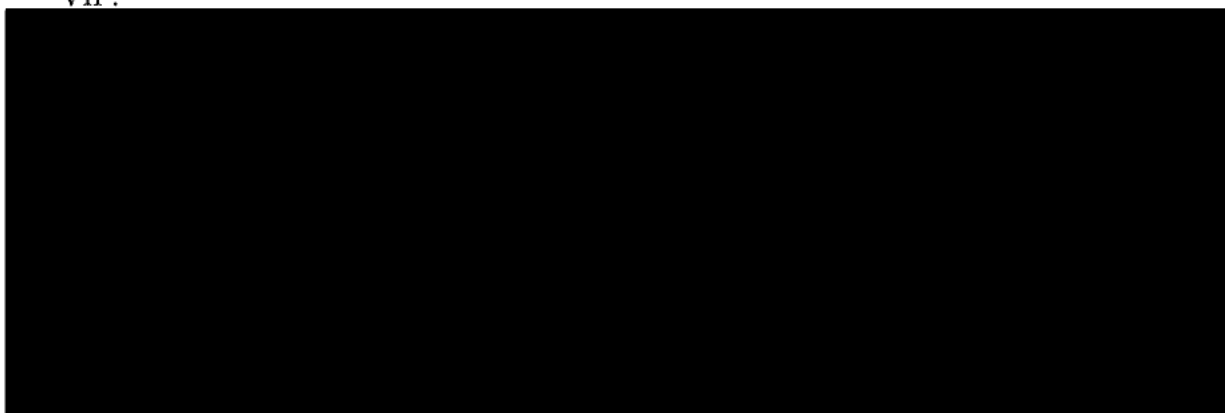
B. Sentence of Life in Prison Without Possibility of Release

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

YES ✓

NO _____

If you answer "YES," each juror must sign here, and then you must proceed to Section VII :



FOREPERSON

Date: 11/15/04

VII. CERTIFICATION

By signing below, each juror certifies that consideration of the race, color, religious beliefs, national origin, or sex of the defendant or any 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: 11/15/04