UNITED STATES DISTRICT COURT EASTERN DISTRICT OF NEW YORK	
UNITED STATES OF AMERICA,	
v.	SPECIAL VERDICT FORM 04-CR-1016 (NGG)
RONELL WILSON,	
Defendant.	
GARAUFIS, District Judge.	
I. The Defendant's Age	
We, the jury, unanimously find that the Go doubt that the Defendant Ronell Wilson was at least	overnment has established beyond a reasonable ast 18 years of age on March 10, 2003.

# II. Preliminary Intent Factors

NO \_\_\_\_\_

General Instructions for Section II: For each of the following preliminary intent factors, indicate the appropriate finding by the jury.

## A. <u>James Nemorin</u>

# 1. First Preliminary Intent Factor

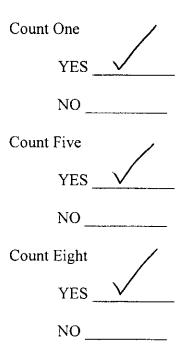
We, the jury, unanimously find that the government has established beyond a reasonable doubt that the Defendant Ronell Wilson intentionally killed James Nemorin.

Count One	
YES_	<u> </u>
NO	

Count Five	
YES	
NO_	VP-2-104-translar
Count Eight	
YES	$\sqrt{}$
NO_	

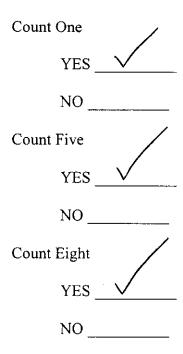
#### 2. **Second Preliminary Intent Factor**

We, the jury, unanimously find that the Government has established beyond a reasonable doubt that the Defendant Ronell Wilson intentionally inflicted serious bodily injury which resulted in the death of James Nemorin.



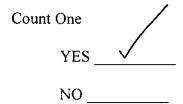
#### 3. Third Preliminary Intent Factor

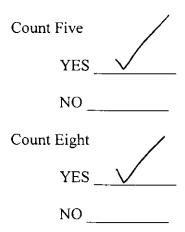
We, the jury, unanimously find that the Government has established beyond a reasonable doubt that the Defendant Ronell Wilson intentionally participated in an act, contemplating that the life of a person would be taken and/or intending that lethal force would be used in connection with a person, other than one of the participants in the offense, and the victim James Nemorin died as a direct result of the act.



#### 4. Fourth Preliminary Intent Factor

We, the jury, unanimously find that the Government has established beyond a reasonable doubt that the Defendant Ronell Wilson 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 James Nemorin died as a direct result of the act.





#### **Rodney Andrews** В.

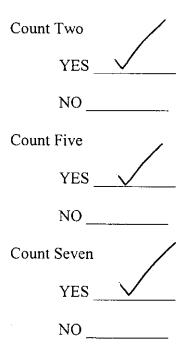
#### First Preliminary Intent Factor 1.

We, the jury, unanimously find that the Government has established beyond a reasonable doubt that the Defendant Ronell Wilson intentionally killed Rodney Andrews.

Count Two	
YES	
NO	
Count Five	
YES	
NO	
Count Seven	
YES	
NO	

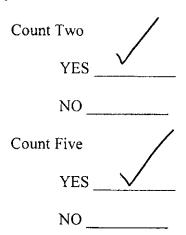
#### 2. **Second Preliminary Intent Factor**

We, the jury, unanimously find that the Government has established beyond a reasonable doubt that the Defendant Ronell Wilson intentionally inflicted serious bodily injury which resulted in the death of Rodney Andrews.



#### 3. **Third Preliminary Intent Factor**

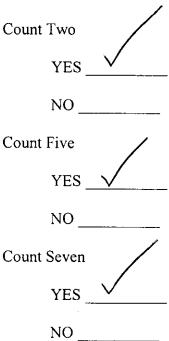
We, the jury, unanimously find that the Government has established beyond a reasonable doubt that the Defendant Ronell Wilson intentionally participated in an act, contemplating that the life of a person would be taken and/or intending that lethal force would be used in connection with a person, other than one of the participants in the offense, and the victim Rodney Andrews died as a direct result of the act.



Count Seven	
YES	<u> </u>
NO	

#### 4. Fourth Preliminary Intent Factor

We, the jury, unanimously find that the Government has established beyond a reasonable doubt that the Defendant Ronell Wilson 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 Rodney Andrews died as a direct result of the act.



## Further Instructions for Section II:

If you indicated that the Government has not established at least one of the preliminary intent factors set forth in this 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 his or her juror number 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 indicated that the Government has established at least one or more of the Preliminary Intent Factors in this Section II, proceed to Section III which follows.

#### III. **Statutory Aggravating Factors**

General Instructions for Section III: For each of the following, indicate the appropriate finding by the jury.

#### 1. Pecuniary Gain

We, the jury, unanimously find that the Government has established beyond a reasonable doubt that the Defendant Ronell Wilson committed the offense as consideration for the receipt, or in the expectation of the receipt, of anything of pecuniary value.

Count One	
YES	
NO	<del>_</del>
	/
Count Two	
YES	
NO	·
Count Five	
YES	
NO	<del></del> -
Count Seven	
YES	
NO	
Count Eight	
YES	
NO	

#### 2. Multiple Killings

We, the jury, unanimously find that the Government has established beyond a reasonable doubt that the Defendant Ronell Wilson intentionally killed more than one person in a single criminal episode.

Count One
YES
NO
Count Two
YES
NO
Count Five
YES
NO
Count Seven
YES
NO
Count Eight
YES
NO

Further Instructions for Section III: If you indicated that the Government has not established at least one of the Statutory Aggravating Factors in this Section III, then stop your deliberations, cross out Sections IV, and 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 his or her juror number 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.

Document 360

If you indicated that the Government has established at least one or more of the Preliminary Intent Factors in Section II, and indicated that the Government has established at least one of the Statutory Aggravating Factors in this Section III, proceed to Section IV which follows.

#### IV. **Non-Statutory Aggravating Factors**

General Instructions for Section IV: For each of the following, indicate the appropriate finding by the jury.

#### 1. Status of Victims

We, the jury, unanimously find that the Government has established beyond a reasonable doubt that the Defendant Ronell Wilson murdered two law enforcement officers during the course of their official duties, and that this factor tends to support imposition of the death penalty.

Count One
YES
NO
Count Two
YES
NO
Count Five
YES
NO
Count Seven
YES
NO

#### 2. **Contemporaneous Convictions**

We, the jury, unanimously find that the Government has established beyond a reasonable doubt that the Defendant faces contemporaneous convictions for other serious acts of violence.

Count One
YES
NO
Count Two
YES
NO
Count Five
YES
NO
Count Seven
YES
NO
Count Eight
YES
NO

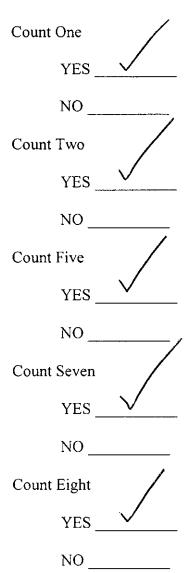
# 3. Future Dangerousness of the Defendant

We, the jury, unanimously find that the Government has established beyond a reasonable doubt that the Defendant Ronell Wilson represents a continuing danger to the lives and safety of other persons, and that the Defendant is likely to commit criminal acts of violence in the future that would constitute a continuing and serious threat to the lives and safety of others.

Count One
YES
NO
Count Two
YES
NO
Count Five
YES
NO
Count Seven
YES
NO
Count Eight
YES
NO

## 4. <u>Victim Impact Evidence</u>

We, the jury, unanimously find that the Government has established beyond a reasonable doubt that the Defendant Ronell Wilson caused loss, injury, and harm to the victims and the victims' families.



Further instruction for Section IV: Regardless of whether you found that the Government has established one or more of the Non-Statutory Aggravating Factors in this Section IV, proceed to Section V, which follows.

#### Mitigating Factors V.

General Instructions for Section V: For each of the following mitigating factors, you should 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.

Your vote with respect to a mitigating factor need not be unanimous. 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.

1.	Ronell Wilson was twenty years	old on March 10, 2003.
		1)
	Number of jurors who so find:	10

If he is not sentenced to death, Ronell Wilson will be incarcerated for the rest of his life in prison without possibility of release or parole.

3. Ronell Wilson's parents were substance abusers which resulted in poor parenting. an unstable and chaotic living environment, and separation of his family.

4. During his early childhood Ronell Wilson was exposed to an unsafe and unsanitary home environment.

At age 21 months, Ronell Wilson contracted bacterial meningitis and, as a result. was hospitalized for over two weeks.

Number of jurors who so find: \_\_\_\_

6. Ronell Wilson was exposed to drugs and violence as a child and adolescent.

Number of jurors who so find: \_\_\_ \ \rightarrow .

7. Ronell Wilson grew up in poverty and deprivation.

Number of jurors who so find: \_\_\_\_\_\_\_.

8. occasions for	During his childhood, Ronell Wilson was admitted to hospitals on at least four psychiatric care.
occusions for	3
	Number of jurors who so find:
9. health profess	Throughout his childhood, Ronell Wilson was prescribed medication by mental ionals.
	Number of jurors who so find:
10.	Ronell Wilson has a history of depression.
	Number of jurors who so find:
11.	Ronell Wilson performed well below grade level in school.
	Number of jurors who so find:
12.	Ronell Wilson was placed in Special Education classes.
	Number of jurors who so find:
13. in his home li	Ronell Wilson's poor performance in school was affected by negative influences fe.
	Number of jurors who so find:
14.	Ronell Wilson's scores on standardized intelligence tests are below average.
	Number of jurors who so find:
15. grief and loss	Ronell Wilson has a loving relationship with his family members, who will suffer if he is executed.
	Number of jurors who so find: $\bigcirc$ .
16.	Ronell Wilson has adjusted well to federal prison.
	Number of jurors who so find:
	•

17.	Ronell Wilson takes responsibility for his actions.
	Number of jurors who so find:

- Ronell Wilson has remorse for the murder of Detectives Andrews and Nemorin. 18. Number of jurors who so find:
- There are other factors in Ronell Wilson's background and other circumstances of 19. his offenses that mitigate against the 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 pursuant to factor 19. If none are found, write "NONE" and cross out the extra spaces with a large "X."

_	Parell Wilson was possibly subject to peer
 	pressure.
Number	of jurors who so find
-	
-	
Number	of jurors who so find
_	
-	
Number	of jurors who so find .

General Instructions for Section V: Proceed to Section VI and Section VII which follow.

#### VI. **Determination of Sentence**

General Instructions for Section VI: 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:

#### Count One: Murder in Aid of Racketeering (James Nemorin) A.

#### 1. **Death Sentence**

We the jury de	termine, by unanimous vote, that a sentence of death shall be imposed.
YES_	
NO _	

If you indicate "YES," sign your juror numbers here and proceed to Section VI(B). If you do not indicate "YES," the foreperson alone should sign, and you should proceed to Section VI(A)(2).

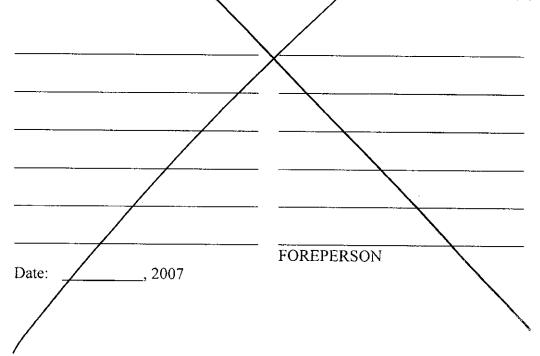
Juron 3	JUROR #4
Juror #5	Turon #8
Jarry &6	June #12
Juro #9	In ROBERT 11
Suror #10	Wirox #7
JUKOR # 2	Japan # 1
Date: June 30 <sup>1</sup> , 2007	FOREPERSON

# 2. Sentence of Life in Prison Without Possibility of Release

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



If you answer "YES," sign your names here, and then proceed to Section VI(B).



# B. Count Two: Murder in Aid of Racketeering (Rodney Andrews)

## 1. <u>Death Sentence</u>

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

YES \_\_\_\_

NO \_\_\_\_

If you indicate "YES," sign your juror numbers here and proceed to Section VI(C). If you do not indicate "YES," the foreperson alone should sign, and you should proceed to Section VI(B)(2).

Jurar 3

JURDR # 4

Juror #5

near #6

Juros #9

lung at to

Date: (1/2007) 30 7, 2007

Juron #8

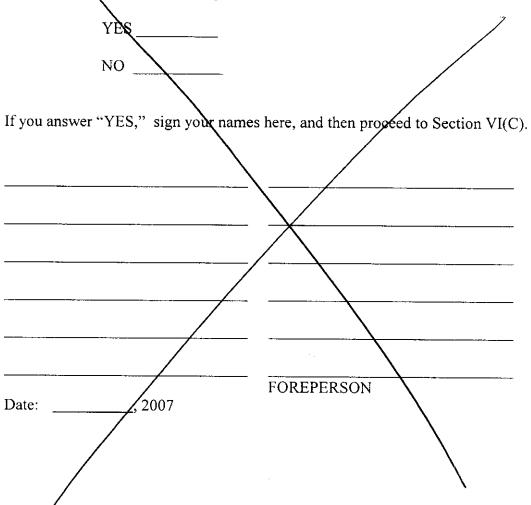
Jun # 12

Juron # 11

FOREPERSON

# 2. Sentence of Life in Prison Without Possibility of Release

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



# C. Count Five: Carjacking

# 1. Death Sentence

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

YES \_\_\_\_

NO

If you indicate "YES," sign your juror numbers here and proceed to Section VI(D). If you do not indicate "YES," the foreperson alone should sign, and you should proceed to Section VI(C)(2).

Juror 3

JUROR #4

Juror #5

JUNOR #8

Jurar # 6

June # 12

Jurout 9

Juloh 11

INCOCH 10

Jyror#7

JUROR #2

FOREPERSON

Date

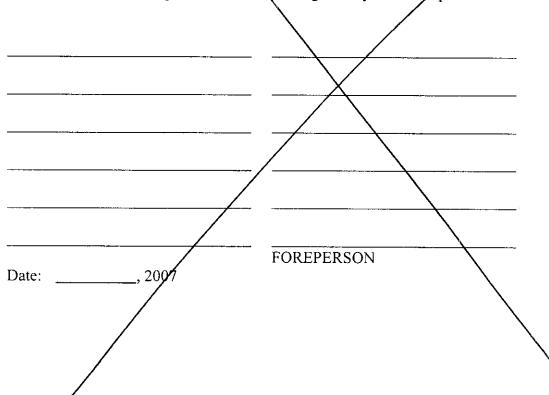
, 2007

# 2. Sentence of Life in Prison Without Possibility of Release

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

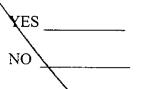


If you answer "YES," sign your names here, and then proceed to Section VI(D). If you do not indicate "YES," the foreperson alone should sign, and you should proceed to Section VI(C)(3).

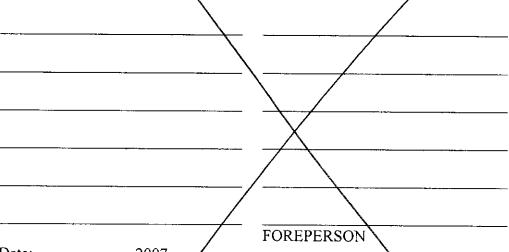


# 3. Other Sentence Authorized by Law

We the jury determine, by unanimous vote, that some other sentence authorized by law shall be imposed.



If you answer "YES," sign your names here, and then proceed to Section VI(D).



Date: \_\_\_\_\_\_, 2007

# D. <u>Count Seven: Causing Death Through the Use of a Firearm (Rodney Andrews)</u>

## 1. Death Sentence

We the jury	determine, by	y unanimous vote,	that a sentence	of death sha	ll be imposed.
YES					•

NO

If you indicate "YES," sign your juror numbers here and proceed to Section VI(E). If you do not indicate "YES," the foreperson alone should sign, and you should proceed to Section VI(D)(2).

JUNOR # 4

Juror#5 Jurox#8

Juror#9 Julok#11

JUROR + 2 FOREPERSON

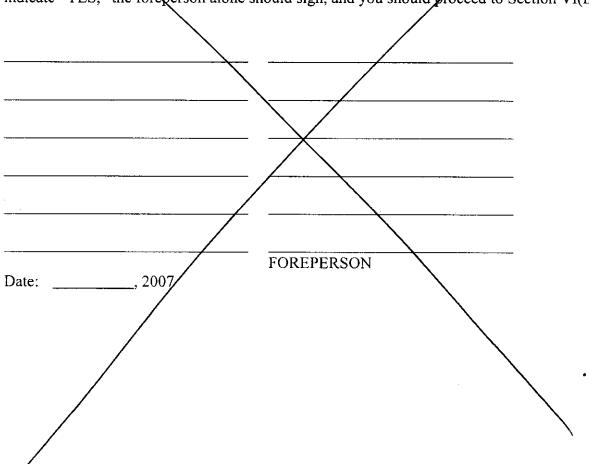
Date: 1, 2007

# 2. Sentence of Life in Prison Without Possibility of Release

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

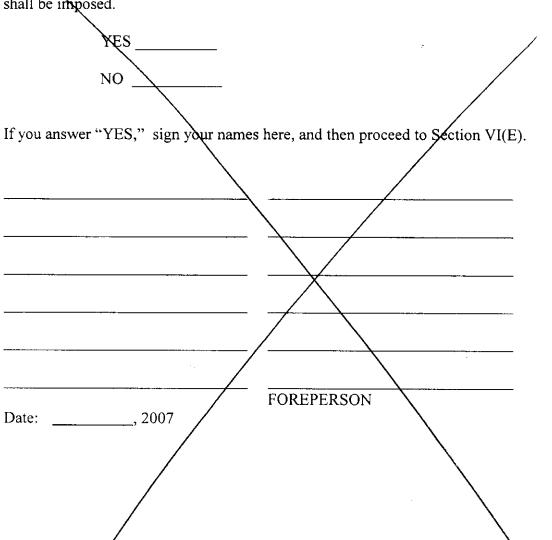


If you answer "YES," sign your names here, and then proceed to Section VI(E). If you do not indicate "YES," the foregerson alone should sign, and you should proceed to Section VI(D)(3).



# 3. Other Sentence Authorized by Law

We the jury determine, by unanimous vote, that some other sentence authorized by law shall be imposed.



# E. Count Eight: Causing Death Through the Use of a Firearm (James Nemorin)

1.	Death	Sentence
1.	Death	Schiche

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

YES \_\_\_\_

NO

If you indicate "YES," sign your juror numbers here and proceed to Section VII. If you do not indicate "YES," the foreperson alone should sign, and you should proceed to Section VI(E)(2).

Jurar 3

Juror #5

Turer # 6

Jurov#9

14008 # 2

Date: 1, 2007

JUROR # 8

June # 12

Julor # 11

(work!

FORPPERSON

# 2. Sentence of Life in Prison Without Possibility of Release

We the jury determine, by unanimous vote, that a sentence of life imprisonment without possibility of release, or some other sentence authorized by law, shall be imposed. If you answer "YES," sign your names here, and then proceed to Section VII. If you do not indicate "YES," the foreperson alone should sign, and you should proceed to Section VI(E)(3). FOREPERSON Date:

# 3. Other Sentence Authorized by Law

We the jury determine, by unanimous vote, that some other sentence authorized by law shall be imposed.

YES \_\_\_\_\_

If you answer "YES," sign your names here, and then proceed to Section VII.

Date: \_\_\_\_\_, 2007

FOREPERSON

### VII. Certification

By signing below using his or her juror number, 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 victims.

Junit 3

Jurar #5

Suron#9

7000#10

JUROR#2

Date: , 2007

Juron #4

JUROR #8

Jun #12

Juror #7

FOREPERSON