

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

ULYSSES JONES, JR.,

Defendant.

Case No. 10-03090-01-CR-S-DGK

**SPECIAL VERDICT FORM FOR COUNT ONE (MURDER IN THE FIRST DEGREE IN THE
DEATH OF TIMOTHY BAKER) AND COUNT TWO (MURDER BY A FEDERAL
PRISONER IN THE DEATH OF TIMOTHY BAKER)**

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, Ulysses Jones, Jr., was eighteen years of age or older at the time of the offense as set out in Instruction No. 31?

COUNT ONE

YES Yes

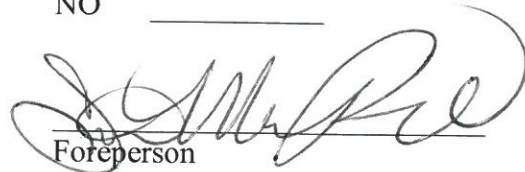
NO _____


Foreperson

COUNT TWO

YES Yes

NO _____


Foreperson

All of

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

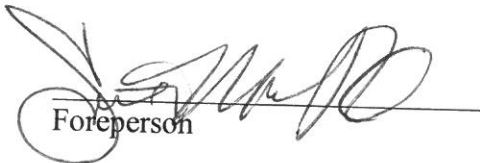
Instructions: For each of the following, answer "YES" or "NO."

Do you, the jury unanimously find that the government has established beyond a reasonable doubt that Defendant Ulysses Jones, Jr., intentionally killed the victim, Timothy Baker, by stabbing Timothy Baker with a knife, or shank, which resulted in Timothy Baker's death, as set out in Instruction No. 32?

COUNT ONE

YES Yes

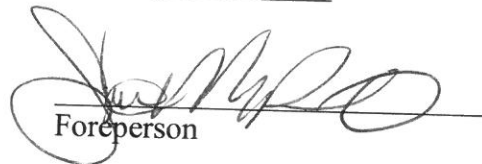
NO _____


Foreperson

COUNT TWO

YES Yes

NO _____


Foreperson

Instructions: If you answered "NO" with respect to all of the determinations 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 this Section II, proceed to Section III which follows.

III. STATUTORY AGGRAVATING FACTORS

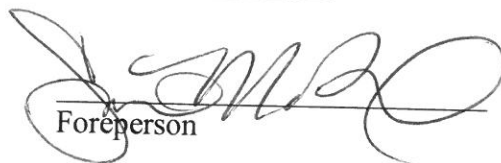
Instructions: For each of the following, answer "YES" or "NO."

- A. Do you, the jury, unanimously find that the government has established beyond a reasonable doubt that the death or injuries resulting in the death of Timothy Baker occurred during the commission of the offense of murder by a prisoner, the defendant, Ulysses Jones, Jr., serving a life term of imprisonment at the time the murder occurred, as set out in Instruction No. 33?

COUNT ONE

YES Yes

NO _____


Foreperson

COUNT TWO

YES Yes

NO _____

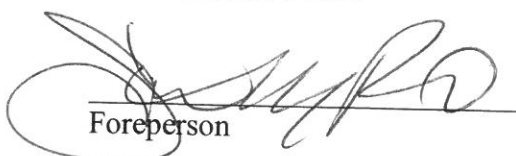

Foreperson

- B. Do you, the jury, unanimously find that the government has established beyond a reasonable doubt that Ulysses Jones Jr., has been previously convicted of a federal or state offense punishable by a term of imprisonment of more than one year, involving the use, attempted use, threatened use, or of a firearm against another person, as set out in Instruction No. 33?

COUNT ONE

YES Yes

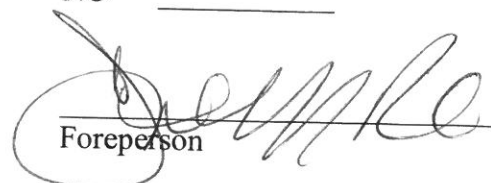
NO _____


Foreperson

COUNT TWO

YES Yes

NO _____


Foreperson

- C. Do you, the jury, unanimously find that the government has established beyond a reasonable doubt that Ulysses Jones, Jr., has previously been convicted of a Federal or State offense resulting in the death of a person, for which a sentence of life imprisonment or a sentence of death was authorized by statute, as set out in Instruction No. 33?

COUNT ONE

YES Yes

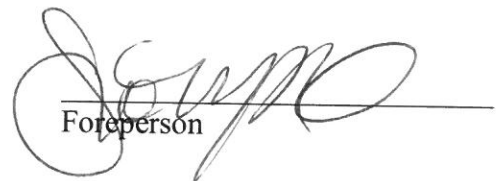
NO _____


Foreperson

COUNT TWO

YES Yes

NO _____

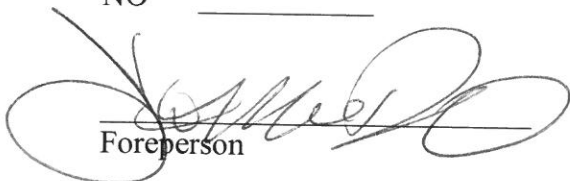

Foreperson

- D. Do you, the jury, unanimously find that the government has established beyond a reasonable doubt that Ulysses Jones, Jr., has previously been convicted of two or more state or federal offenses punishable by a term of imprisonment of more than one year, committed on different occasions, involving the infliction of, or attempted infliction of serious bodily injury or death upon another person, as set out in Instruction No. 33?

COUNT ONE

YES Yes

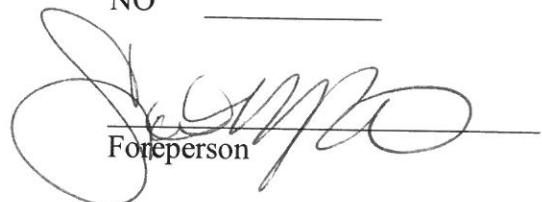
NO _____


Foreperson

COUNT TWO

YES Yes

NO _____

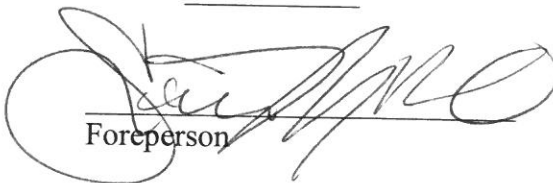

Foreperson

- E. Do you, the jury, unanimously find that the government has established beyond a reasonable doubt that Ulysses Jones, Jr., in the commission of the offense, or in escaping apprehension for the violation of the offense, knowingly created a grave risk of death to 1 or more persons in addition to the victim of the offense, as set out in Instruction No. 33?

COUNT ONE

YES Yes

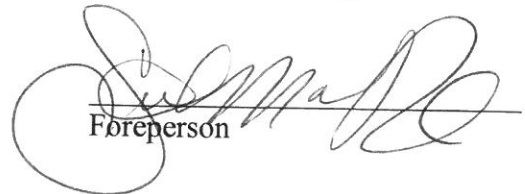
NO _____


Foreperson

COUNT TWO

YES Yes

NO _____

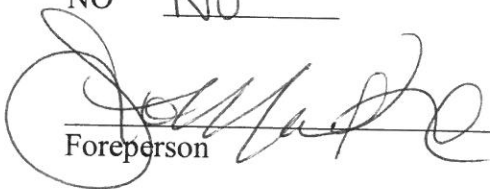

Foreperson

- F. Do you, the jury, unanimously find that the government has established beyond a reasonable doubt that Ulysses Jones, Jr., committed the offense after substantial planning and premeditation to cause the death of Timothy Baker, as set out in Instruction No. 33?

COUNT ONE

YES _____

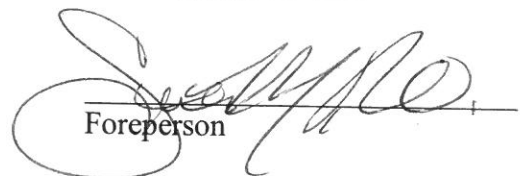
NO NO


Foreperson

COUNT TWO

YES _____

NO NO

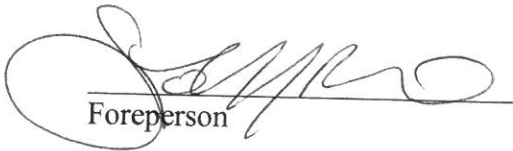

Foreperson

- G. Do you, the jury, unanimously find that the government has established beyond a reasonable doubt that the victim, Timothy Baker, was particularly vulnerable due to infirmity, in this case, as set out in Instruction No. 33?

COUNT ONE

YES Yes

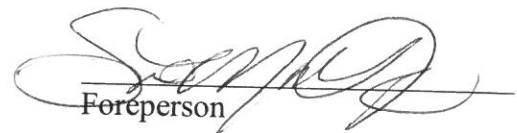
NO _____


Foreperson

COUNT TWO

YES Yes

NO _____

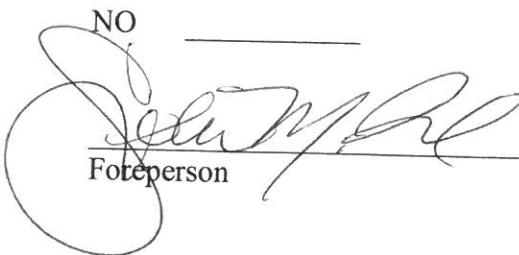

Foreperson

- H. Do you, the jury, unanimously find that the government has established beyond a reasonable doubt that Ulysses Jones, Jr., intentionally attempted to kill more than one person in this same criminal episode, as set out in Instruction No. 33?

COUNT ONE

YES Yes

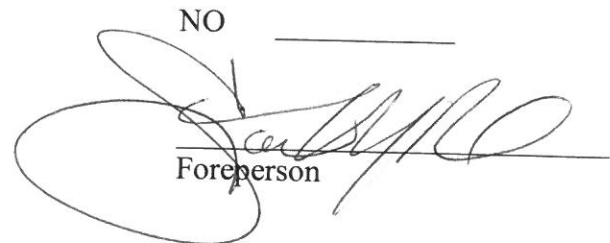
NO _____


Foreperson

COUNT TWO

YES Yes

NO _____


Foreperson

Instructions: If you answered "NO" with respect to all of the Statutory Aggravating Factor 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 at least one or more of the aggravating factors in this Section III, proceed to Section IV which follows.

IV. NON-STATUTORY AGGRAVATING FACTORS

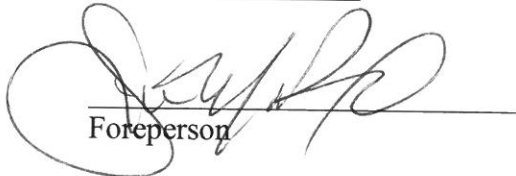
Instructions: For each of the following, answer "YES" or "NO."

- A. Do you, the jury, unanimously find that the government has established beyond a reasonable doubt that the offense caused injury, loss and harm because of victim Timothy Baker's personal characteristics as an individual human being and the impact of the death upon Timothy Baker's family, as set out in Instruction No. 34?

COUNT ONE

YES Yes

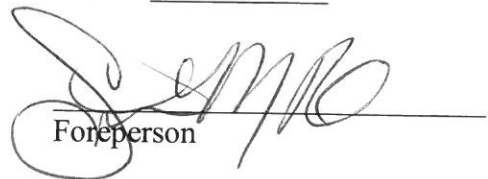
NO _____


Foreperson

COUNT TWO

YES Yes

NO _____

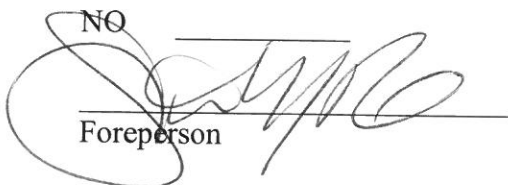

Foreperson

- B. Do you, the jury, unanimously find that the government has established beyond a reasonable doubt that Ulysses Jones, Jr., presents a future danger based upon the probability that he would commit criminal acts of violence that would constitute a continuing threat to the lives and safety of others, as set out in Instruction No. 34?

COUNT ONE

YES NO

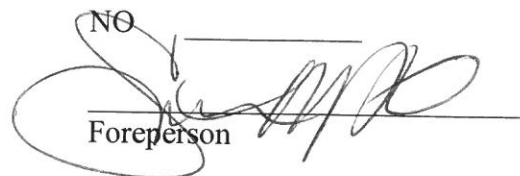
NO _____


Foreperson

COUNT TWO

YES NO

NO _____


Foreperson

- C. Do you, the jury, unanimously find that the government has established beyond a reasonable doubt that Ulysses Jones, Jr., shown a lack of remorse in the death of Timothy Baker, as set out in Instruction No. 34?

COUNT ONE

YES 1

NO NO

Foreperson

COUNT TWO

YES _____

NO NO

Foreperson

- D. Do you, the jury, unanimously find that the government has established beyond a reasonable doubt that Ulysses Jones, Jr., acted to obstruct justice or retaliate against Baker because of Baker's role in organizing a petition to bring Jones' misconduct to the attention of BOP officials, as set out in Instruction No. 34?

COUNT ONE

YES _____

NO NO

Foreperson

COUNT TWO

YES _____

NO NO

Foreperson

- E. Do you, the jury, unanimously find that the government has established beyond a reasonable doubt that Ulysses Jones, Jr. has demonstrated repeated acts of misconduct in the penal institutions at which he has been housed, as set out in Instruction No. 34?

COUNT ONE

YES Yes

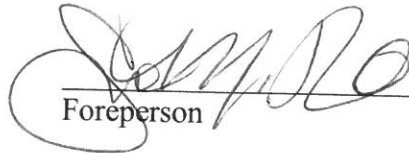
NO _____


Foreperson

COUNT TWO

YES Yes

NO _____


Foreperson

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, please 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. 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:

1. Ulysses Jones Jr. and his brother and sister were raised in Washington D.C. in the 1960's and 1970's in very poor conditions, with few, if any, positive social or educational opportunities.

COUNT ONE

Number of jurors who so find 2

COUNT TWO

Number of jurors who so find 2

2. As a young child, Ulysses Jones Jr. was severely beaten and emotionally abused by his father.

COUNT ONE

Number of jurors who so find 11

COUNT TWO

Number of jurors who so find 11

3. At a young age, Ulysses Jones Jr. would run away from the house to get away from the beatings and abuse of his father.

COUNT ONE

Number of jurors who so find 2

COUNT TWO

Number of jurors who so find 2

4. As a child, Ulysses Jones Jr. did not have a supportive, loving, and caring mother or father.

COUNT ONE

Number of jurors who so find 4

COUNT TWO

Number of jurors who so find 4

5. As a child, most of the adult role models in Ulysses Jones Jr.'s life used or sold drugs, including his mother, father, and grandmother.

COUNT ONE

Number of jurors who so find 9

COUNT TWO

Number of jurors who so find 9

6. As a child, Ulysses Jones Jr.'s mother was unable or unwilling to protect her son from the abuse of his father.

COUNT ONE

Number of jurors who so find 5

COUNT TWO

Number of jurors who so find 5

7. As a child, Ulysses Jones Jr. suffered from a very low intelligence, and was not provided with individual educational opportunities to address his learning and social disabilities.

COUNT ONE

Number of jurors who so find 1

COUNT TWO

Number of jurors who so find 1

8. At 9 years old, Ulysses Jones Jr. was tested by a school psychologist who found he had a Full Scale IQ of 66, which is in the range of mental retardation.

COUNT ONE

Number of jurors who so find 1

COUNT TWO

Number of jurors who so find 1

9. At 15 years old, Ulysses Jones Jr. was tested by a school psychologist who found he had a Full Scale IQ of 72, which is in the range of mental retardation.

COUNT ONE

Number of jurors who so find 1

COUNT TWO

Number of jurors who so find 1

10. As a result of his learning and social disabilities, and as a result of the beating and abuse by his father, Ulysses Jones Jr. learned to resort to violence, rather than finding other ways to resolve problems.

COUNT ONE

Number of jurors who so find 10

COUNT TWO

Number of jurors who so find 10

11. As a child, Ulysses Jones Jr. was regularly told by his father that he was stupid, and on at least one occasion his father threatened to kill Ulysses Jones Jr. with a gun.

COUNT ONE

Number of jurors who so find 4

COUNT TWO

Number of jurors who so find 4

12. As a child, Ulysses Jones Jr. had few friends.

COUNT ONE

Number of jurors who so find 0

COUNT TWO

Number of jurors who so find 0

13. As a child, Ulysses Jones Jr. witnessed acts of extreme violence between his parents, which had a negative effect on the course of his life.

COUNT ONE

Number of jurors who so find 11

COUNT TWO

Number of jurors who so find 11

14. As a child, Ulysses Jones Jr. suffered from mental retardation, now known as intellectual disability.

COUNT ONE

Number of jurors who so find 1

COUNT TWO

Number of jurors who so find 1

15. As a child, Ulysses Jones Jr. was a follower, and was often influenced to bad choices and behavior by other children.

COUNT ONE

Number of jurors who so find 1

COUNT TWO

Number of jurors who so find 1

16. The conditions and environment in which Ulysses Jones Jr. was raised as a child had a negative effect on the course of his life.

COUNT ONE

Number of jurors who so find 6

COUNT TWO

Number of jurors who so find 6

17. David Jones and Ulysses Jones Jr. love one another.

COUNT ONE

Number of jurors who so find 0

COUNT TWO

Number of jurors who so find 0

18. If Ulysses Jones Jr. is executed his family members will suffer grief and loss.

COUNT ONE

Number of jurors who so find 2

COUNT TWO

Number of jurors who so find 2

19. In 2007 Ulysses Jones Jr. experienced a severe brain injury, and suffers from major neurocognitive disorder today.

COUNT ONE

Number of jurors who so find 2

COUNT TWO

Number of jurors who so find 2

20. Since 2006, Ulysses Jones Jr.'s medical, physical and mental conditions have deteriorated significantly.

COUNT ONE

Number of jurors who so find 2

COUNT TWO

Number of jurors who so find 2

21. Ulysses Jones Jr. is terminally ill.

COUNT ONE

Number of jurors who so find 1

COUNT TWO

Number of jurors who so find 1

22. Ulysses Jones Jr. has lived longer than approximately 98% of the other United States dialysis patient population and will likely die within 5 to 6 years.

COUNT ONE

Number of jurors who so find 0

COUNT TWO

Number of jurors who so find 0

23. Ulysses Jones Jr.'s kidney failure and dialysis treatments cause his physical and mental condition to deteriorate at a rate faster than a healthy aging adult.

COUNT ONE

Number of jurors who so find 1

COUNT TWO

Number of jurors who so find 1

24. Ulysses Jones Jr. offered to plead guilty to the murder of Timothy Baker, waive all of rights to appeal, and submit to a sentence of lifetime imprisonment without release under conditions of confinement to be determined by the BOP.

COUNT ONE

Number of jurors who so find 1

COUNT TWO

Number of jurors who so find 1

ADDITIONAL MITIGATING FACTORS: The extra spaces on the next page 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 the next page.

Pop lack of consideration for his previous crimes
for housing placements.

COUNT ONE

Number of jurors who so find 6

COUNT TWO

Number of jurors who so find 6

COUNT ONE

Number of jurors who so find _____

COUNT TWO

Number of jurors who so find _____

COUNT ONE

Number of jurors who so find _____

COUNT TWO

Number of jurors who so find _____

COUNT ONE

Number of jurors who so find _____

COUNT TWO

Number of jurors who so 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 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, 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.

COUNT ONE

YES _____

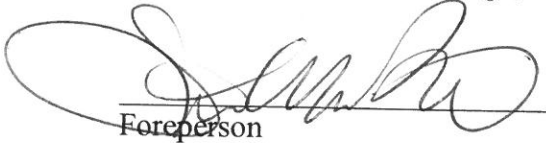
NO NO

COUNT TWO

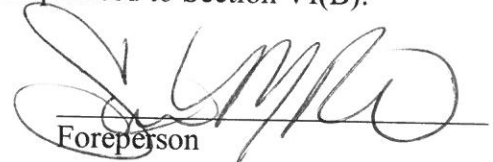
YES _____

NO NO

If you answer "YES," the foreperson 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: Oct 16, 2017


Foreperson

Date: Oct 16, 2017

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.

COUNT ONE

YES _____

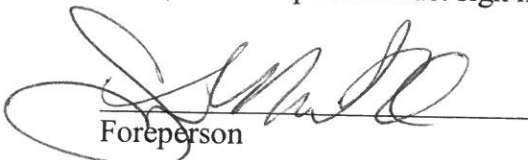
NO NO

COUNT TWO

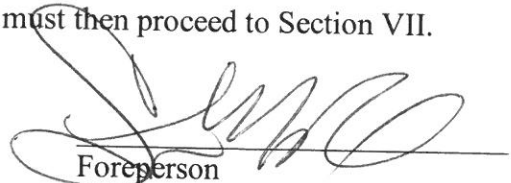
YES _____

NO NO

If you answer "YES," the foreperson must sign here, and you must then proceed to Section VII.


Foreperson

Date: Oct 16, 2017


Foreperson

Date: Oct 16, 2017

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 regardless of the race, color, religious beliefs, national origin, or sex of the defendant, or the victim.

COUNT ONE

Linda Pratt
Brigitte Johnson
Kathy Jarrett
Chris Yarger
Ambere Cline
John S. Wagoner
Ashley Meador
Mat Clark
Ross Schick
[Signature]
Wampler
[Signature]
FOREPERSON

Date: Oct 16, 2017

COUNT TWO

Linda Pratt
Brigitte Johnson
Kathy Jarrett
Chris Yarger
Ambere Cline
John S. Wagoner
Ashley Meador
Mat Clark
Ross Schick
[Signature]
Wampler
[Signature]
FOREPERSON

Date: Oct 16, 2017