**ICJI 1724 Verdict Form**

STATE OF IDAHO )

)

vs. )

) Case No.\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

)

[ ] )

)

Defendant. )

)

Part One:

We, the jury, render the following verdict on the alleged statutory aggravating circumstance[s]:

1. Has the jury unanimously found that the State has proven beyond a reasonable doubt the existence of the following aggravating circumstance: [insert statutory aggravating circumstance]?

No \_\_\_\_\_

Yes \_\_\_\_\_

1. Has the jury unanimously found that the State has proven beyond a reasonable doubt the existence of the following aggravating circumstance: [insert statutory aggravating circumstance]?

No \_\_\_\_\_

Yes \_\_\_\_\_

If you answered “No” to [each of] the above question[s], you do not need to answer any other questions. Simply have the presiding juror sign this verdict form and notify the bailiff that you are done.

If you answered “Yes” to [any of] the above question[s], then please answer the question[s] in Part Two.

Part Two:

[Answer only the following questions on a statutory aggravating circumstance [or circumstances] the jury has found to exist.]

We, the jury, render the following verdict on the weighing of all mitigating circumstances against the statutory aggravating circumstance[s]:

1. With respect to the statutory aggravating circumstance that [insert circumstance]:

\_\_\_\_\_ we unanimously find that, when weighed against this aggravating circumstance, all mitigating circumstances **are** sufficiently compelling that the death penalty would be unjust.

\_\_\_\_\_ we unanimously find that, when weighed against this aggravating circumstance, all mitigating circumstances **are not** sufficiently compelling to make imposition of the death penalty unjust.

\_\_\_\_\_ we are unable to unanimously decide whether or not all mitigating circumstances are sufficiently compelling that the death penalty would be unjust.

[(b) With respect to the statutory aggravating circumstance that [insert circumstance]:

\_\_\_\_\_ we unanimously find that, when weighed against this aggravating circumstance, all mitigating circumstances **are** sufficiently compelling that the death penalty would be unjust.

\_\_\_\_\_ we unanimously find that, when weighed against this aggravating circumstance, all mitigating circumstances **are not** sufficiently compelling to make imposition of the death penalty unjust.

\_\_\_\_\_ we are unable to unanimously decide whether or not all mitigating circumstances are sufficiently compelling that the death penalty would be unjust.]

Once you have completed Part Two, please have the presiding juror sign this verdict form and notify the bailiff that you are done.

Dated this \_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Presiding juror

Comment

I.C. § 19-2515(8)(a). See the aggravating circumstances instruction for a list of the aggravating circumstances. They may have to be modified to conform to the allegations.

Use the applicable bracketed language.