

IN THE COURT OF COMMON PLEAS
FIRST JUDICIAL DISTRICT OF PENNSYLVANIA

COMMONWEALTH OF PENNSYLVANIA :

JAN. TERM, 19 82

vs. :

No. 1358.

TRIAL DIVISION
CRIMINAL SECTION
PHILADELPHIA

MUMIA ABU-JAMAL

FIRST DEGREE MURDER VERDICT
PENALTY DETERMINATION SHEET

We, the jury, having heretofore determined that the above-named defendant is guilty of murder of the first degree, do hereby further find that:

- (1) We, the jury, unanimously sentence the defendant to

☒ death

☐ life imprisonment.

- (2) (To be used only if the aforesaid sentence is death)

We, the jury, have found unanimously

☐ at least one aggravating circumstance and no mitigating circumstance. The aggravating circumstance(s) is/are _____.

☒ one or more aggravating circumstances which outweigh any mitigating circumstances. The aggravating circumstance(s) is/are A.

The mitigating circumstance(s) is/are A

AGGRAVATING AND MITIGATING CIRCUMSTANCES

AGGRAVATING CIRCUMSTANCE(S):

- (a) The victim was a fireman, peace officer or public servant concerned in official detention who was killed in the performance of his duties (✓)
- (b) The defendant paid or was paid by another person or had contracted to pay or be paid by another person or had conspired to pay or to be paid by another person for the killing of the victim ()
- (c) The victim was being held by the defendant for ransom or reward, or as a shield or hostage ()
- (d) The death of the victim occurred while defendant was engaged in the hijacking of an aircraft ()
- (e) The victim was a prosecution witness to a murder or other felony committed by the defendant and was killed for the purpose of preventing his testimony against the defendant in any grand jury or criminal proceeding involving such offenses ()
- (f) The defendant committed a killing while in the perpetration of a felony ()
- (g) In the commission of the offense the defendant knowingly created a grave risk of death to another person in addition to the victim of the offense ()
- (h) The offense was committed by means of torture ()
- (i) The defendant has a significant history of felony convictions involving the use or threat of violence to the person ()
- (j) The defendant has been convicted of another Federal or State offense, committed either before or at the time of the offense at issue, for which a sentence of life imprisonment or death was impossible or the defendant was undergoing a sentence of life imprisonment for any reason at the time of the commission of the offense ()

MITIGATING CIRCUMSTANCE(S):

- (a) The defendant has no significant history of prior criminal convictions (✓)
- (b) The defendant was under the influence of extreme mental or emotional disturbance ()
- (c) The capacity of the defendant to appreciate the criminality of his conduct or to conform his conduct to the requirements of law was substantially impaired ()
- (d) The youth or advanced age of the defendant at the time of the crime ()
- (e) The defendant acted under extreme duress or acted under the substantial domination of another person ()
- (f) The victim was a participant in the defendant's homicidal conduct or consented to the homicidal acts ()
- (g) The defendant's participation in the homicidal act was relatively minor ()
- (h) Any other mitigating matter concerning the character or record of the defendant or the circumstances of his offense ()

Gery W. Ewalt, Jr.
Foreperson

James T. Muttare

Edward J. Curran

Joseph A. Mangano

Ruben L. Jones

Murray Vinich

Domenic N. Russo

Louanna Davis

Ignacio Adelman

Paul E. M... ..

Louis

Lisa M.

DATED: July 3, 1982