

UNITED STATES DISTRICT COURT

DISTRICT OF SOUTH DAKOTA

WESTERN DIVISION

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| UNITED STATES OF AMERICA, Plaintiff, vs. JEREMY CROW, Defendant. | 5:24-CR-50017-CCT FINAL INSTRUCTIONS TO THE JURY |
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FINAL INSTRUCTIONS

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VERDICT FORM

FINAL INSTRUCTION NO. 1 – INTRODUCTION

Members of the jury, the written instructions I gave you at the beginning of the trial and the oral instructions I gave you during the trial remain in effect. I now give you some additional instructions.

The instructions I am about to give you, as well as the preliminary instructions given to you at the beginning of the trial, are in writing and will be available to you in the jury room. *All* instructions, whenever given and whether in writing or not, must be followed. This is true even though some of the instructions I gave you at the beginning of the trial are not repeated here.

FINAL INSTRUCTION NO. 2 – ASSAULT ON A FEDERAL OFFICER

For you to find Jeremy Crow guilty of the offense of assault on a federal officer as charged in Count 1 of the Indictment, the prosecution must prove the following four essential elements beyond a reasonable doubt:

One, that on or about December 22, 2023, at or near Pine Ridge, in the District of South Dakota, the defendant, Jeremy Crow, acted forcibly to either assault, resist, oppose, impede, intimidate, or interfere with Oglala Sioux Tribe Department of Public Safety Highway Safety Lieutenant Tanner Hicks;

These terms are defined in Instruction No. 7.

Two, that Crow's act or acts involved physical contact with Lieutenant Hicks;

Three, that Crow's act or acts were done voluntarily and intentionally; and

Four, that at the time of Crow's act or acts, Lieutenant Hicks was employed as a law enforcement officer with the Oglala Sioux Tribe Department of Public Highway Safety and was engaged in the performance of his official duties at that time.

For you to find Crow guilty of the offense charged in Count 1 of the Indictment, the prosecution must prove all four of the essential elements beyond a reasonable doubt. Otherwise, you must find Crow not guilty of the offense charged in Count 1 of the Indictment.

Lesser Included Offense – Simple Assault on a Federal Officer

If you should unanimously find Crow “Not Guilty” of the crime of assault on a federal officer through physical contact, as charged in Count 1 the Indictment, or if, after reasonable efforts, you are unable to reach a verdict as to the crime charged in Count 1 of the Indictment, then you must proceed to determine whether the defendant is guilty or not guilty of the crime of simple assault on a federal officer under this instruction.

The crime of simple assault on a federal officer, a lesser included offense of the crime of assault on a federal officer through physical contact as charged in the Indictment, has three elements, which are:

One, that on or about December 22, 2023, at or near Pine Ridge, in the District of South Dakota, the defendant, Jeremy Crow, acted forcibly to either assault, resist, oppose, impede, intimidate, or interfere with Oglala Sioux Tribe Department of Public Safety Highway Safety Lieutenant Tanner Hicks;

These terms are defined in Instruction No. 7.

Two, that Crow's act or acts were done voluntarily and intentionally; and

Three, that at the time of Crow's act or acts, Lieutenant Hicks was employed as a law enforcement officer with the Oglala Sioux Tribe Department of Public Highway Safety and was engaged in the performance of his official duties at that time.

If all of these elements have been proved beyond a reasonable doubt as to Crow, then you must find him guilty of the crime of simple assault on a federal officer; otherwise, you must find the defendant not guilty of this crime.

The difference between the crime charged in the Indictment and this lesser included offense is that this lesser included offense does not require proof that Crow's act or acts involved voluntary and intentional physical contact with Lieutenant Hicks.

FINAL INSTRUCTION NO. 3 – ASSAULT ON A FEDERAL OFFICER

For you to find Jeremy Crow guilty of the offense of assault on a federal officer as charged in Count 2 of the Indictment, the prosecution must prove the following four essential elements beyond a reasonable doubt:

One, that on or about December 22, 2023, at or near Pine Ridge, in the District of South Dakota, the defendant, Jeremy Crow, acted forcibly to either assault, resist, oppose, impede, intimidate, or interfere with Oglala Sioux Tribe Department of Public Safety Officer Nina Martinez;

These terms are defined in Instruction No. 7.

Two, that Crow’s act or acts involved physical contact with Officer Martinez;

Three, that Crow’s act or acts were done voluntarily and intentionally; and

Four, that at the time of Crow’s act or acts, Officer Martinez was employed as a law enforcement officer with the Oglala Sioux Tribe Department of Public Safety and was engaged in the performance of her official duties at that time.

For you to find Crow guilty of the offense charged in Count 2 of the Indictment, the prosecution must prove all four of the essential elements beyond a reasonable doubt. Otherwise, you must find Crow not guilty of the offense charged in Count 2 of the Indictment.

Lesser Included Offense – Simple Assault on a Federal Officer

If you should unanimously find Crow “Not Guilty” of the crime of assault on a federal officer through physical contact, as charged in Count 2 the Indictment, or if, after reasonable efforts, you are unable to reach a verdict as to the crime charged in Count 2 of the Indictment, then you must proceed to determine whether the defendant is guilty or not guilty of the crime of simple assault on a federal officer under this instruction.

The crime of simple assault on a federal officer, a lesser included offense of the crime of assault on a federal officer through physical contact as charged in the Indictment, has three elements, which are:

One, that on or about December 22, 2023, at or near Pine Ridge, in the District of South Dakota, the defendant, Jeremy Crow, acted forcibly to either assault, resist, oppose, impede, intimidate, or interfere with Oglala Sioux Tribe Department of Public Safety Officer Nina Martinez;

These terms are defined in Instruction No. 7.

Two, that Crow's act or acts were done voluntarily and intentionally; and

Three, that at the time of Crow's act or acts, Officer Martinez was employed as a law enforcement officer with the Oglala Sioux Tribe Department of Public Safety and was engaged in the performance of her official duties at that time.

If all of these elements have been proved beyond a reasonable doubt as to Crow, then you must find him guilty of the crime of simple assault on a federal officer; otherwise, you must find the defendant not guilty of this crime.

The difference between the crime charged in the Indictment and this lesser included offense is that this lesser included offense does not require proof that Crow's act or acts involved voluntary and intentional physical contact with Officer Martinez.

FINAL INSTRUCTION NO. 4 – ASSAULT ON A FEDERAL OFFICER

For you to find Jeremy Crow guilty of the offense of assault on a federal officer as charged in Count 3 of the Indictment, the prosecution must prove the following four essential elements beyond a reasonable doubt:

One, that on or about December 24, 2023, at or near Pine Ridge, in the District of South Dakota, the defendant, Jeremy Crow, acted forcibly to either assault, resist, oppose, impede, intimidate, or interfere with Oglala Sioux Tribe Division of Corrections Correctional Officer Kenneth Stands;

These terms are defined in Instruction No. 7.

Two, that Crow's act or acts involved physical contact with Correctional Officer Stands;

Three, that Crow's act or acts were done voluntarily and intentionally; and

Four, that at the time of Crow's act or acts, Correctional Officer Stands was employed as a law enforcement officer with the Oglala Sioux Tribe Division of Corrections and was engaged in the performance of his official duties at that time.

For you to find Crow guilty of the offense charged in Count 3 of the Indictment, the prosecution must prove all four of the essential elements beyond a reasonable doubt. Otherwise, you must find Crow not guilty of the offense charged in Count 3 of the Indictment.

Lesser Included Offense – Simple Assault on a Federal Officer

If you should unanimously find Crow “Not Guilty” of the crime of assault on a federal officer through physical contact, as charged in Count 3 the Indictment, or if, after reasonable efforts, you are unable to reach a verdict as to the crime charged in Count 3 of the Indictment, then you must proceed to determine whether the defendant is guilty or not guilty of the crime of simple assault on a federal officer under this instruction.

The crime of simple assault on a federal officer, a lesser included offense of the crime of assault on a federal officer through physical contact as charged in the Indictment, has three elements, which are:

One, that on or about December 24, 2023, at or near Pine Ridge, in the District of South Dakota, the defendant, Jeremy Crow, acted forcibly to either assault, resist, oppose, impede, intimidate, or interfere with Oglala Sioux Tribe Division of Corrections Correctional Officer Kenneth Stands;

These terms are defined in Instruction No. 7.

Two, that Crow's act or acts were done voluntarily and intentionally; and

Three, that at the time of Crow's act or acts, Correctional Officer Stands was employed as a law enforcement officer with the Oglala Sioux Tribe Division of Corrections and was engaged in the performance of his official duties at that time.

If all of these elements have been proved beyond a reasonable doubt as to Crow, then you must find him guilty of the crime of simple assault on a federal officer; otherwise, you must find the defendant not guilty of this crime.

The difference between the crime charged in the Indictment and this lesser included offense is that this lesser included offense does not require proof that Crow's act or acts involved voluntary and intentional physical contact with Correctional Officer Stands.

FINAL INSTRUCTION NO. 5 – ASSAULT ON A FEDERAL OFFICER

For you to find Jeremy Crow guilty of the offense of assault on a federal officer as charged in Count 4 of the Indictment, the prosecution must prove the following four essential elements beyond a reasonable doubt:

One, that on or about December 24, 2023, at or near Pine Ridge, in the District of South Dakota, the defendant, Jeremy Crow, acted forcibly to either assault, resist, oppose, impede, intimidate, or interfere with Oglala Sioux Tribe Division of Corrections Correctional Officer Patrick Beard;

These terms are defined in Instruction No. 7.

Two, that Crow’s act or acts involved physical contact with Correctional Officer Beard;

Three, that Crow’s act or acts were done voluntarily and intentionally; and

Four, that at the time of Crow’s act or acts, Correctional Officer Beard was employed as a law enforcement officer with the Oglala Sioux Tribe Division of Corrections and was engaged in the performance of his official duties at that time.

For you to find Crow guilty of the offense charged in Count 4 of the Indictment, the prosecution must prove all four of the essential elements beyond a reasonable doubt. Otherwise, you must find Crow not guilty of the offense charged in Count 4 of the Indictment.

Lesser Included Offense – Simple Assault on a Federal Officer

If you should unanimously find Crow “Not Guilty” of the crime of assault on a federal officer through physical contact, as charged in Count 4 the Indictment, or if, after reasonable efforts, you are unable to reach a verdict as to the crime charged in Count 4 of the Indictment, then you must proceed to determine whether the defendant is guilty or not guilty of the crime of simple assault on a federal officer under this instruction.

The crime of simple assault on a federal officer, a lesser included offense of the crime of assault on a federal officer through physical contact as charged in the Indictment, has three elements, which are:

One, that on or about December 24, 2023, at or near Pine Ridge, in the District of South Dakota, the defendant, Jeremy Crow, acted forcibly to either assault, resist, oppose, impede, intimidate, or interfere with Oglala Sioux Tribe Division of Corrections Correctional Officer Patrick Beard;

These terms are defined in Instruction No. 7.

Two, that Crow's act or acts were done voluntarily and intentionally; and

Three, that at the time of Crow's act or acts, Correctional Officer Beard was employed as a law enforcement officer with the Oglala Sioux Tribe Division of Corrections and was engaged in the performance of his official duties at that time.

If all of these elements have been proved beyond a reasonable doubt as to Crow, then you must find him guilty of the crime of simple assault on a federal officer; otherwise, you must find the defendant not guilty of this crime.

The difference between the crime charged in the Indictment and this lesser included offense is that this lesser included offense does not require proof that Crow's act or acts involved voluntary and intentional physical contact with Correctional Officer Beard.

FINAL INSTRUCTION NO. 6 – ASSAULT ON A FEDERAL OFFICER

For you to find Jeremy Crow guilty of the offense of assault on a federal officer as charged in Count 5 of the Indictment, the prosecution must prove the following four essential elements beyond a reasonable doubt:

One, that on or about December 24, 2023, at or near Pine Ridge, in the District of South Dakota, the defendant, Jeremy Crow, acted forcibly to either assault, resist, oppose, impede, intimidate, or interfere with Oglala Sioux Tribe Division of Corrections Correctional Officer Dale Two Eagle;

These terms are defined in Instruction No. 7.

Two, that Crow's act or acts involved physical contact with Correctional Officer Two Eagle;

Three, that Crow's act or acts were done voluntarily and intentionally; and

Four, that at the time of Crow's act or acts, Correctional Officer Two Eagle was employed as a law enforcement officer with the Oglala Sioux Tribe Division of Corrections and was engaged in the performance of his official duties at that time.

For you to find Crow guilty of the offense charged in Count 5 of the Indictment, the prosecution must prove all four of the essential elements beyond a reasonable doubt. Otherwise, you must find Crow not guilty of the offense charged in Count 5 of the Indictment.

Lesser Included Offense – Simple Assault on a Federal Officer

If you should unanimously find Crow “Not Guilty” of the crime of assault on a federal officer through physical contact, as charged in Count 5 the Indictment, or if, after reasonable efforts, you are unable to reach a verdict as to the crime charged in Count 5 of the Indictment, then you must proceed to determine whether the defendant is guilty or not guilty of the crime of simple assault on a federal officer under this instruction.

The crime of simple assault on a federal officer, a lesser included offense of the crime of assault on a federal officer through physical contact as charged in the Indictment, has three elements, which are:

One, that on or about December 24, 2023, at or near Pine Ridge, in the District of South Dakota, the defendant, Jeremy Crow, acted forcibly to either assault, resist, oppose, impede, intimidate, or interfere with Oglala Sioux Tribe Division of Corrections Correctional Officer Dale Two Eagle;

These terms are defined in Instruction No. 7.

Two, that Crow's act or acts were done voluntarily and intentionally; and

Three, that at the time of Crow's act or acts, Correctional Officer Two Eagle was employed as a law enforcement officer with the Oglala Sioux Tribe Division of Corrections and was engaged in the performance of his official duties at that time.

If all of these elements have been proved beyond a reasonable doubt as to Crow, then you must find him guilty of the crime of simple assault on a federal officer; otherwise, you must find the defendant not guilty of this crime.

The difference between the crime charged in the Indictment and this lesser included offense is that this lesser included offense does not require proof that Crow's act or acts involved voluntary and intentional physical contact with Correctional Officer Two Eagle.

FINAL INSTRUCTION NO. 7 – DEFINITIONS

As used in these instructions:

“Forcibly” means by use of force. Physical force is sufficient, but actual physical contact is not required. You may also find that a person who, in fact, has the present ability to inflict bodily harm upon another and who threatens or attempts to inflict bodily harm upon such a person acts forcibly. In such a case, the threat must be a present one.

An “assault” is any intentional and voluntary attempt or threat to do injury to the person of another, when coupled with the apparent present ability to do so sufficient to put the person against whom the attempt is made in fear of immediate bodily harm.

To “resist” means to exert force in opposition; to exert oneself so as to counteract or defeat; to withstand the force or effect of.

To “oppose” means to offer resistance to.

To “impede” means to interfere with or slow the progress of.

To “interfere” means to interpose in a way that hinders or impedes.

To “intimidate” means to make timid or fearful; to compel or deter by or as if by threats.

FINAL INSTRUCTION NO. 8 – PROOF OF INTENT OR KNOWLEDGE

Intent or knowledge may be proved like anything else. You may consider any statements made and acts done by the defendant, and all the facts and circumstances in evidence which may aid in a determination of the defendant's knowledge or intent.

You may, but are not required to, infer that a person intends the natural and probable consequences of acts knowingly done or knowingly omitted.

FINAL INSTRUCTION NO. 9 – DEFENDANT’S PRIOR SIMILAR ACTS

You have heard evidence that Jeremy Crow has previously been convicted of assaulting a law enforcement officer. You may consider this evidence only if you unanimously find it is more likely true than not true that the defendant committed the act. This is a lower standard than proof beyond a reasonable doubt. You decide that by considering all of the evidence relating to the alleged act, and then deciding what evidence is more believable.

If you find that this evidence has not been proved you must disregard it. If you find this evidence has been proved, then you may consider it to help you decide the issues of motive, intent, knowledge, or absence of mistake or accident with respect to the charged offenses. You should give it the weight and value you believe it is entitled to receive.

Remember, even if you find that the defendant may have committed a similar act in the past, this is not evidence that he committed such an act in this case. You may not convict a person simply because you believe he may have committed similar acts in the past. The defendant is on trial only for the crimes charged, and you may consider the evidence of prior acts only on the issues stated above.

FINAL INSTRUCTION NO. 10 – IMPEACHMENT

In Preliminary Instruction No. 6, I instructed you generally on the credibility of witnesses. I now give you this further instruction on how the credibility of a witness can be “impeached” and how you may treat certain evidence.

A witness may be discredited or impeached by contradictory evidence; by a showing that the witness testified falsely concerning a material matter; or by evidence that at some other time the witness has said or done something, or has failed to say or do something, that is inconsistent with the witness’s present testimony. If earlier statements of a witness were admitted into evidence, they were not admitted to prove that the contents of those statements were true. Instead, you may consider those earlier statements only to determine whether you think they are consistent or inconsistent with the trial testimony of the witness, and therefore whether they affect the credibility of that witness.

You have heard that some witnesses were once convicted of a crime or multiple crimes. You may use that evidence only to help you decide whether to believe the witnesses and how much weight to give their testimony.

If you believe that a witness has been discredited or impeached, it is your exclusive right to give that witness’s testimony whatever weight, if any, you think it deserves.

Your decision on the facts of this case should not be determined by the number of witnesses testifying for or against a party. You should consider all the facts and circumstances in evidence to determine which of the witnesses you choose to believe or not believe. You may find that the testimony of a smaller number of witnesses on one side is more credible than the testimony of a greater number of witnesses on the other side.

FINAL INSTRUCTION NO. 11 – PRESUMPTION OF INNOCENCE AND BURDEN
OF PROOF

The presumption of innocence means that the defendant is presumed to be absolutely not guilty.

- This presumption means that you must put aside all suspicion that might arise from the defendant's arrest, the charge, or the fact that he is here in court.
- This presumption remains with the defendant throughout the trial.
- This presumption is enough, alone, for you to find the defendant not guilty, unless the prosecution proves, beyond a reasonable doubt, all of the elements of the offense charged against him.

The burden is always on the prosecution to prove guilt beyond a reasonable doubt.

- This burden never, ever shifts to the defendant to prove his innocence.
- This burden means that the defendant does not have to call any witnesses, produce any evidence, cross-examine the prosecution's witnesses, or testify.
- This burden means that, if the defendant does not testify, you must not consider that fact in any way, or even discuss it, in arriving at your verdict.

This burden means that you must find the defendant not guilty of the offense charged against him, unless the prosecution proves beyond a reasonable doubt that he has committed each and every element of that offense.

FINAL INSTRUCTION NO. 12 – REASONABLE DOUBT

A reasonable doubt is a doubt based upon reason and common sense, and not doubt based on speculation. A reasonable doubt is the kind of doubt that would make a reasonable person hesitate to act.

- A reasonable doubt may arise from evidence produced by the prosecution or the defendant, keeping in mind that the defendant never, ever has the burden or duty to call any witnesses or to produce any evidence.
- A reasonable doubt may arise from the prosecution's lack of evidence.

The prosecution must prove the defendant's guilt beyond a reasonable doubt.

- Proof beyond a reasonable doubt requires careful and impartial consideration of all the evidence, or lack of evidence, in the case before making a decision.
- Proof beyond a reasonable doubt is proof that leaves you firmly convinced of the defendant's guilt.
- Proof beyond a reasonable doubt is proof so convincing that you would be willing to rely and act on it in the most important of your own affairs.

The prosecution's burden is heavy, but it does not require proof beyond all possible doubt.

FINAL INSTRUCTION NO. 13 – DUTY TO DELIBERATE

A verdict must represent the careful and impartial judgment of each of you. Before you make that judgment, you must consult with one another and try to reach agreement if you can do so consistent with your individual judgment.

- If you are convinced that the prosecution has not proved beyond a reasonable doubt that the defendant is guilty, say so.
- If you are convinced that the prosecution has proved beyond a reasonable doubt that the defendant is guilty, say so.
- Do not give up your honest beliefs just because others think differently or because you simply want to be finished with the case.
- On the other hand, do not hesitate to re-examine your own views and to change your opinion if you are convinced that it is wrong.
- You can only reach a unanimous verdict if you discuss your views openly and frankly, with proper regard for the opinions of others, and with a willingness to re-examine your own views.
- Remember that you are not advocates, but judges of the facts, so your sole interest is to seek the truth from the evidence.
- The question is never who wins or loses the case, because society always wins, whatever your verdict, when you return a just verdict based solely on the evidence, reason, your common sense, and these Instructions.
- You must consider all of the evidence bearing on each element before you.
- Take all the time that you feel is necessary.

Remember that this case is important to the parties and to the fair administration of justice, so do not be in a hurry to reach a verdict just to be finished with the case.

FINAL INSTRUCTION NO. 14 – DUTY DURING DELIBERATIONS

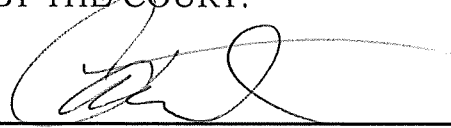
You must follow certain rules while conducting your deliberations and returning your verdict:

- Select a foreperson to preside over your discussions and to speak for you here in court.
- Do not consider punishment in any way in deciding whether the defendant is guilty or not guilty. If the defendant is guilty, I will decide what the sentence should be.
- Communicate with me by sending me a note through a Court Security Officer (CSO). The note must be signed by one or more of you. Remember that you should not tell anyone, including me, how your votes stand. I will respond as soon as possible, either in writing or orally in open court.
- Base your verdict solely on the evidence, reason, your common sense, and these Instructions. Again, nothing I have said or done was intended to suggest what your verdict should be—that is entirely for you to decide.
- Reach your verdict without discrimination. In reaching your verdict, you must not consider the defendant's race, color, religious beliefs, national origin, or sex. You are not to return a verdict for or against the defendant unless you would return the same verdict without regard to his race, color, religious beliefs, national origin, or sex.
- Complete the Verdict Form. The foreperson must bring the signed verdict form to the courtroom when it is time to announce your verdict.
- When you have reached a verdict, the foreperson will advise the CSO that you are ready to return to the courtroom.

Good luck with your deliberations.

Dated September 11, 2024.

BY THE COURT:

A handwritten signature in black ink, appearing to read 'C. Theeler', is written over a horizontal line.

CAMELA C. THEELER
UNITED STATES DISTRICT JUDGE

UNITED STATES DISTRICT COURT

DISTRICT OF SOUTH DAKOTA

WESTERN DIVISION

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| UNITED STATES OF AMERICA, Plaintiff, vs. JEREMY CROW, Defendant. | 5:24-CR-50017-CCT VERDICT |
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We, the Jury, unanimously find the defendant, Jeremy Crow, as follows:

| COUNT 1: ASSAULT ON A FEDERAL OFFICER (Lieutenant Tanner Hicks) | | |
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| 1. | On the charge of "assault on a federal officer," as explained in Final Instruction No. 2, please mark your verdict. | <input type="checkbox"/> Not Guilty <input type="checkbox"/> Guilty |
| | If you find Crow not guilty, or if you are unable to reach a decision on question 1, proceed to question 1a. If you find Crow guilty on question 1, proceed to Count 2. | |
| 1a. | On the lesser included offense of "simple assault on a federal officer," as explained in Final Instruction No. 2, please mark your verdict. Proceed to Count 2. | <input type="checkbox"/> Not Guilty <input type="checkbox"/> Guilty |

| COUNT 2: ASSAULT ON A FEDERAL OFFICER (Officer Nina Martinez) | | |
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| 1. | On the charge of "assault on a federal officer," as explained in Final Instruction No. 3, please mark your verdict. | <input type="checkbox"/> Not Guilty <input type="checkbox"/> Guilty |

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| | If you find Crow not guilty, or if you are unable to reach a decision on question 1, proceed to question 1a. If you find Crow guilty on question 1, proceed to Count 3. | |
| 1a. | On the lesser included offense of “simple assault on a federal officer,” as explained in Final Instruction No. 3, please mark your verdict. Proceed to Count 3. | <input type="checkbox"/> Not Guilty <input type="checkbox"/> Guilty |

COUNT 3: ASSAULT ON A FEDERAL OFFICER (Correctional Officer Kenneth Stands)

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| 1. | On the charge of “assault on a federal officer,” as explained in Final Instruction No. 4, please mark your verdict. | <input type="checkbox"/> Not Guilty <input type="checkbox"/> Guilty |
| | If you find Crow not guilty, or if you are unable to reach a decision on question 1, proceed to question 1a. If you find Crow guilty on question 1, proceed to Count 4. | |
| 1a. | On the lesser included offense of “simple assault on a federal officer,” as explained in Final Instruction No. 4, please mark your verdict. Proceed to Count 4. | <input type="checkbox"/> Not Guilty <input type="checkbox"/> Guilty |

COUNT 4: ASSAULT ON A FEDERAL OFFICER (Correctional Officer Patrick Beard)

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| 1. | On the charge of “assault on a federal officer,” as explained in Final Instruction No. 5, please mark your verdict. | <input type="checkbox"/> Not Guilty <input type="checkbox"/> Guilty |
| | If you find Crow not guilty, or if you are unable to reach a decision on question 1, proceed to question 1a. If you find Crow guilty on question 1, proceed to Count 5. | |

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| 1a. | On the lesser included offense of “simple assault on a federal officer,” as explained in Final Instruction No. 5, please mark your verdict. Proceed to Count 5 | <input type="checkbox"/> Not Guilty <input type="checkbox"/> Guilty |
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| COUNT 5: ASSAULT ON A FEDERAL OFFICER (Correctional Officer Dale Two Eagle) | | |
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| 1. | On the charge of “assault on a federal officer,” as explained in Final Instruction No. 6, please mark your verdict. | <input type="checkbox"/> Not Guilty <input type="checkbox"/> Guilty |
| | If you find Crow not guilty, or if you are unable to reach a decision on question 1, proceed to question 1a. If you find Crow guilty on question 1, please sign and date the Verdict Form. | |
| 1a. | On the lesser included offense of “simple assault on a federal officer,” as explained in Final Instruction No. 6, please mark your verdict. | <input type="checkbox"/> Not Guilty <input type="checkbox"/> Guilty |

Please sign and date the Verdict Form.

Date

Foreperson